

TELEGRAM

CONTROL
12 NOV
1822

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

11352: GDS
TAGS: SHUM, PINT, AR, UK
SUBJECT: Congressman Drinan's Visit to Argentina

ACTION: SecState WASHDC IMMEDIATE

INFO: AmEmbassy LONDON

~~CONFIDENTIAL~~ BUENOS AIRES 7459

REF: Buenos Aires 7428

1. Visit to La Plata prison requested by Congressman Drinan for November 12 was rejected by Buenos Aires Province ~~police~~ officials. FonMin informed us evening November 11 that while Federal Government had no objection in principle to visit to La Plata, Provincial authorities had not approved visit. FonMin official stated that decision was taken on basis general security situation in La Plata, where police headquarters has just been bombed and various confrontations with guerrillas have taken place in last few days, but more importantly on basis of "psychological atmosphere" of La Plata security forces. He said without ambiguity that La Plata police are furious over bombing and in no mood for visit from human rights advocates from abroad. Serious trouble could result from visit by Drinan,

109-812-90

ED BY:

RSSteven:mg

DRAFTING DATE

11/12/76

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INDEXED AND CLASSIFICATION APPROVED BY:

FILED POL:WSSmith

ANCES:

NOV 15 1976 Charge: MChaplin

LEGAL ATTACH

and Buenos Aires Province authorities will not accept responsibility for his safety. Federal Government is in no position to challenge evaluation of local commanders, and FonMin source indicated that Ministry also believes there could be real danger. Any attack or demonstration against Drinan (or Lord Avebury), from whatever source, would be disaster for COA, in opinion FonMinistry. We have checked sources of our own who confirm that climate in La Plata is potentially dangerous. Drinan reacted with some anger when first informed of denial of permission for visit, but after consideration and discussion with Emboff he agreed that visit would not be advisable.

2. At Drinan's request, we located Cardinal Primatesta in Cordoba and asked if the Cardinal would receive Drinan there during weekend. Cardinal said he could not do so, as he will be "in the interior." We do not know what plans Drinan has otherwise, but plan to offer weekend hospitality if he will be staying in city.

3. Among various private activities Drinan and Avebury have interviewed Legal Association, editors, and numbers of human rights complainants under sponsorship of Assembly for Human Rights. Drinan has seen Jesuits, and plans interview with Papal Nuncio November 15.

4. On November 12 British Charge hosted working lunch for Avebury, Drinan, Ms. Feeney, Anglican Bishop Cutts, Editor Cox of Buenos Aires Herald, Deputy Chief of UNHCR, U. S.

Emboff, and several British Embassy officers. Full and frank discussion of all aspects of human rights problem was held. AI group indicated they will limit final press conference to reading ~~xxxx~~ of prepared statement which will not go into findings, and expect to have report ready to refer to GOA within about two weeks. They said that they have found visit very useful in gaining better and more objective understanding of situation. All present agreed that most local press after first couple of days of visit had made remarkable turnaround and begun to discuss visit and AI itself in quite objective light.

5. FYI. British Embassy appears to have abandoned any attempt to maintain fiction that visitors are legislators and not representatives of AI for official² purposes. Luncheon itself is most obvious sign of this, but support being given by British to visit has gone well beyond what we would have considered appropriate. END FYI.

6. Drinan told Emboff privately that during evening of November 11 he was called upon at hotel by Colonel Flouret of MinInterior (see reftel para 8). Flouret told Drinan that GOA is still deeply concerned over fate of missing Colonel Pita, who as interventor of General Labor Confederation (CGT) was kidnapped by extremists in May 1976. He asked Drinan if he would use his "channels of information" to help locate and secure release of Pita. In return for this, Flouret hinted,

~~CONFIDENTIAL~~

GOA would "look favorably" upon cases of detainees which Drinan had raised with it. Drinan said he found suggestion ~~xx~~ incredible, and did his best to assure Flouret that he was not in contact with terrorists and saw no way in which he could assist in matter of Colonel Pita. Drinan raised thought that Flouret might be personal friend and Army ~~xx~~ colleague of Pita simply trying anything to help secure his safe return from terrorist hands. Drinan is not convinced that offer of "trade" had any official GOA backing at all.

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25/10

cleared in draft

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IMMEDIATE ACTION

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| DCM | | ✓ | LI GATT | | ✓ |
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| ECOM | | ✓ | AID | | |
| POL/R | | ✓ | MILGP | | 2 |
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| ADM | | | GSO | | |
| USIS | | ✓ | B & F | | |
| SCI | | ✓ | CHRN | | ✓ |
| SY | | | HF | | ✓ |

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FM AMEMBASSY LONDON
TO RUESBA/AMEMBASSY BUENOS AIRES IMMEDIATE 0540
RUESUA/AMCONSUL RIO DE JANEIRO IMMEDIATE 0647
BT

~~CONFIDENTIAL~~ LONDON 18429

E.O. 11652: GDS
TAGS: PINT, PFOR, SHUM, AR, UK
SUBJECT: AMNESTY INTERNATIONAL AND DRINAN/AVEBURY TRIP

AMNESTY INTERNATIONAL'S CAROL REED CALLED EMBASSY
NOVEMBER 16 REQUESTING CONFIRMATION THAT DELEGATES HAVE,
IN FACT, DEPARTED BUENOS AIRES VIA AR 140 FOR RIO DE
JANEIRO. PLEASE RESPOND SOONEST.

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~~CONFIDENTIAL~~

109-812-91

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| NOV 16 1976 | |
| LEGAL ATTACHE-BUENOS AIRES | |
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TELEGRAM

16 NOV 76

1317

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

GDS

TAGS:

SHUM, PINT, UK, AR

SUBJECT:

Congressman Drinan's Visit to Argentina

ACTION:

SecState WASHDC IMMEDIATE

INFO:

AmEmbassy LONDON IMMEDIATE

~~CONFIDENTIAL~~ BUENOS AIRES 7512

REF:

Buenos Aires 7459

AMB

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POL-3

POL/R

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1. Drinan with rest of Amnesty International party left Argentina at 1700 local hours November 15, with brief rest stop planned in Rio. On way to airport November 15, party realized that it did not have hotel reservations in Rio, and Drinan asked Emboff to seek assistance of AmConsulate Rio. NIACT telegram was sent to Rio, with our apologies.
 2. Late afternoon of November 12 about 50 young demonstrators appeared in front of hotel where visitors lodged and shouted anti AI slogans, waved banners, etc. Demonstrators dispersed after 10 minutes, and no violence or police confrontation was reported. Press identified demonstrators as members of organization called National Patriotic Movement.
- (We have little specific information about this group, but

DRAFTED BY:

POL:RSSSteven:mg

DRAFTING DATE

11/16/76

TEL. EXT.

121

CONTENTS AND CLASSIFICATION APPROVED BY:

A/POL: COUNS: AGFreeman

CLEARANCES:

Charge: MChaplin
FILED

NOV 16 1976

LEGAL ATTACHE
BUENOS AIRES

~~CONFIDENTIAL~~
CLASSIFICATION

OPTIONAL FORM 10-3
(Formerly Form 10-4)
Rev. 1-66
Dep't. of S. & T.

understand it is ultraconservative organization formed by some retired military officers.) Press coverage of demonstration was very limited. AI group were not rpt not in hotel at time.

3. In early evening of November 12, Drinan asked our assistance in obtaining permission to visit prison in city of Cordoba, where he and Ms. Feeney planned to go next day. At same time Ms. Feeney made same request to British Embassy. British refused to relay ~~xxxxxx~~ request to GOA, pointing out impropriety of asking on such short notice after week in Argentina, and near impossibility of GOA being able to arrange permission on weekend with authorities in Provincial Govt and another Army command. We did discuss request with FonMinistry human rights officer, who was indignant over timing and lack of planning, and refused to relay request.

4. Notwithstanding the foregoing, Drinan and Ms. Feeney visited Cordoba November 13, returning to Buenos Aires morning of November 14. During visit Ms. Feeney was "mobbed," in her words, by hostile press and other unidentified persons in hotel lobby, and was unable to conduct satisfactory press interview.

5. More seriously, Drinan and Ms. Feeney interviewed Argentine national Josefa Martinez, a young girl connected to family which had written to AI for help, in lobby of hotel. Ms. Feeney gave Miss Martinez ~~XXXXX~~ 6000 Argentine pesos, about ~~\$24K~~ \$24, in AI assistance funds. Mother of Miss Martinez informed

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Classification

Drinan next morning that her daughter had not returned home, and assumption was that she was detained for having met with AI. On return to Buenos Aires, Drinan requested our intervention to locate and protect Miss Martinez.

6. Emboff was able communicate with MinInterior official on November 14, and explain concern of Drinan. Official promptly understood delicacy of matter and promised immediate investigation. FonMinistry human rights officer was informed morning of November ~~XX~~ 15, but reported November 16 that he had no information yet on status of Miss Martinez. Both Drinan and Lord Avebury raised intention of making public protest over disappearance of Miss Martinez. After discussion with U. S. and British Emboffs they concluded that immediate publicity of that nature might prejudice safety of Miss Martinez. However, if she is not accounted ^{for} by end of this week, both Drinan and Avebury have stated intention of raising matter through Congressional and Parliamentary channels. We will of course report immediately any ^{11/15/81} ~~information~~ information obtained concerning case, and it is clear that GOA is aware of ~~xxxxx~~ effect that any unfortunate outcome of matter could have upon ~~objectivity of~~ visitors in preparation of their report and their comments upon returning home.

7. Among other private calls, Drinan saw Papal Nuncio and NY Times correspondent Juan de Onis on November 15. Drinan and Ms. Feeney ~~xxxxx~~ spent Sunday afternoon November 14 at

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home of Emboff, with Charge, and had opportunity to exchange views of general situation in Argentina. We are not prepared to predict either findings of AI or individual reactions of Drinan and Avebury concerning visit to Argentina.

CHAPLIN

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TELEGRAM

CONTROL: 750
17 NOV 76
1840

INDICATE
☐ COLLECT
☐ CHARGE TO

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| <p>E.O. 11652: TAGS: SUBJECT: ACTION:</p> <p>AMB DCM POL3 POL/R ECOM USIS USDAO MILGP2 SCIAT LEGAT RF CHROM</p> | <p>FROM AMEMBASSY BUENOS AIRES</p> <p>NA OVIP AR Travel of Congressman Robert Drinan</p> <p>XXXXXXXXXXXX AMCONSUL RIO DE JANEIRO NIACT IMMEDIATE</p> <p>UNCLAS BUENOS AIRES 7504</p> <p>1. Congressman (Father) Robert Drinan (D-Mass.), traveling as part of Amnesty International delegation which also includes British subjects Lord Avebury and Ms. Patricia Feeney, will arrive Rio on AA Flt 140 ETA Rio 2035 local time Nov. 15 from Buenos Aires. Drinan would appreciate being met and having reservations for three singles in moderate hotel for one night. Fully appreciate short notice and apologize. If you are not able meet, please stand by for call from party on arrival to your duty officer, and assist in making hotel reservations and arranging transportation.</p> <p>2. As far as we know Drinan has no plans requiring support from you beyond assistance you may be able offer with transportation from and to airport, and reservations.</p> <p>CHAPLIN <i>per</i></p> | <p>CLASSIFICATION UNCLASSIFIED</p> |
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| DRAFTED BY: POL:RSSSteven:jr | DRAFTING DATE 11/15/76 | TEL. EXT. 121 | CONTENTS AND CLASSIFICATION APPROVED BY: APOLCCUNS:AGFreeman |
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| <p>CLEARANCES: CHARGE:Mchaplin</p> <p><i>Human Rights file</i></p> | <p>UNCLASSIFIED</p> <p>CLASSIFICATION</p> | <p>109-812-93</p> <p>INDEXED</p> <p>NOV 18 1976</p> <p>LEGAL ATTACHE</p> | <p>OPTIONAL FORM 153 (Formerly FS-153) January 76 Dept. of State</p> |
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TELEGRAM

CONTINUED: 7
15 NOV 76
1736

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

Amembassy BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

NO. 11652:

N/A

TAGS:

SHUM, TECH, AR

SUBJECT:

Disappearance of Federico Alvarez Rojas

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 7503

REF:

(A) State 275334; (B) Buenos Aires 7458

CHARGE

SCI

FOL-2

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CNEA official in charge of Constituyentes Center tells us they also have no rpt no information about reasons for disappearance of Mr. and Mrs. Rojas and that they are worried about them.

CHAPLIN

mc

104-812-94

DRAFTED BY:

SCI/ERDA:RHWilcox/mig

DRAFTING DATE

11/15/76

TEL. EXT.

377

CONTENTS AND CLASSIFICATION APPROVED BY:

CHARGE:MChaplin

CLEARANCES:

POL:YThayer

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CLASSIFICATION

OPTIONAL FORM 10
(Formerly FS-4)
January 1976
Page 1 of 1

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

NA

TAGS:

SHUM AR

SUBJECT:

Reported Disappearance of Argentine Victor Jacobo Noe

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 7590

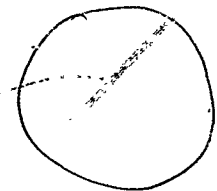
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Embassy contacted Neuberger who had no further information except to confirm that Noe has been missing since late October. Embassy has requested information from Foru Ministry human rights working group and will report new developments.

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OPTIONAL FORM NO. 10
(Rev. 11-1-76)
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TO RUESBA/AMEMBASSY BUENOS AIRES IMMEDIATE 4770
RUDTC/AMEMBASSY LONDON PRIORITY 9895
BT

~~CONFIDENTIAL~~ STATE 285820

E.O. 11652: GDS

TAGS: SHJM, PINT, AR, UK

SUBJECT: CONGRESSMAN DRINAN'S INTEREST IN DISAPPEARANCE OF
JOSEFA MARTINEZ

REFERENCE: BUENOS AIRES 7606

1. DURING COURSE OF NOVEMBER 19 COURTESY CALL BY NEW ARGENTINE CHARGE PRAT GUY ON ARA DEPUTY ASSISTANT SECRETARY BRAY (TO BE REPORTED SEPARATELY), LATTER RAISBD DEPARTMENT'S AND CONGRESSMAN DRINAN'S CONCERN OVER DISAPPEARANCE OF JOSEFA MARTINEZ. BRAY ACKNOWLEDGED THAT GOA WAS LOOKING ACTIVELY INTO THIS MATTER BUT REITERATED IMPORTANCE OF FINDING MS. MARTINEZ OR HAVING AMNESTY INTERNATIONAL'S REPORT ON ARGENTINA HINGE UNDOUBLY ON THIS DISAPPEARANCE. PRAT GUY APPRECIATED DELICACY AND URGENCY OF PROBLEM AND SAID HE WOULD COMMUNICATE AT ONCE WITH FOREIGN MINISTRY.

2. AFTER COURTESY CALL, CONGRESSMAN DRINAN WAS APPRISED OF CONTENTS OF REFTEL AND OF BRAY-PRAT GUY CONVERSATION. DRINAN WAS APPRECIATIVE, NOTING THAT THERE WAS GREAT PRESSURE TO PUBLICIZE THIS CASE AT ONCE. THIS IS APPARENTLY THE RECOMMENDATION OF AMNESTY HEADQUARTERS IN LONDON.

3. DRINAN SAID THAT MS. MARTINEZ HAD NOTHING TO DO WITH AMNESTY INTERNATIONAL AT ALLGM RATHER, SHE WAS THE FRIEND OF AN ARGENTINE WOMAN IN LONDON. THIS WOMAN ASKED PATRICIA FEENEY TO GIVE SOME MONEY TO MS. MARTINEZ' MOTHER.

4. DEPARTMENT HAS PROMISED TO STAY IN CLOSE TOUCH WITH DRINAN. HE IS SCHEDULED TO ADDRESS A GEORGETOWN HUMAN RIGHTS FORUM ON NOVEMBER 30. KISSINGER
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NOV 22 1976

CONTROL: 7675
23 NOV 76 1740

TELEGRAM

INDICATE
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☐ CHARGE TO

E.O. 11652:
TAGS:
SUBJECT:
ACTION:

FROM
Amembassy BUENOS AIRES

CLASSIFICATION
~~LIMITED OFFICIAL USE~~

N/A
SHUM, TECH, AR
Disappearance of Federico Alvarez Rojas

Secstate WASH DC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 7675

REF: Buenos Aires 7503

CHARGE
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Further to reftel, CNEA official called to tell us Alvarez Rojas
definitely not rpt not being held by police and that there is no.
rpt no official news as to his whereabouts.

CHAPLIN
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109-812-97

DRAFTED BY: SCI:RHWilcox/kc *RHW* DRAFTING DATE: 11/23/76 TEL. EXT. 377 CONTENTS AND CLASSIFICATION APPROVED BY: CHARGE: MChaplin

CLEARANCES:

POL: YHaver

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CLASSIFICATION

CONTROL: 7606
NOV 76 1250

TELEGRAM

INDICATE
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E.O. 11652:
TAGS:
SUBJECT:

FROM AmEmbassy BUENOS AIRES CLASSIFICATION ~~CONFIDENTIAL~~

GDS
SHUM, PINT, AR, UK
Congressman Drinan's Visit to Argentina: Josefa Martinez

ACTION: SecState WASHDC IMMEDIATE

INFO: AmEmbassy LONDON IMMEDIATE

~~CONFIDENTIAL~~ BUENOS AIRES 7606

REF: (A) Chaplin-Rondon telcon November 18; (B) Buenos Aires 7512
FOR ARA/ECA - Rondon

AMB
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1. Josefa Martinez, who disappeared after meeting with Congressman Drinan and Ms. Feeney in Cordoba November 13, has not rpt not been found.

2. Through indirect contacts a very high official of GOA was induced to inquire about Martinez's disappearance. We have report back that GOA does not rpt not know anything about her. Inquiry was made by our contact directly to HQ of General Menendez, Commander III Corps in Cordoba, which also denied any connection with disappearance. Source offered comment that at least three explanations of disappearance were possible: a) Martinez could have been taken by non-official rightist extremists; b) she could

109-812-98

EX-107 BY: POL:RSSSteven:mg DRAFTING DATE 11/19/76 TEL. EXT. 121 CONTENTS AND CLASSIFICATION APPROVED BY: A/POLCOUNS:AGFreeman

CLEARANCES:

~~CONFIDENTIAL~~
CLASSIFICATION

OPTIONAL FORM 103
(Formerly FS-413)
January 1975
Dept. of State

2 7506

1/6 have voluntarily disappeared after talking with Amnesty International group in fear that she would be detained in retaliation by official or non-official forces; c) she could be extremist herself who has gone underground. Fourth; explanation, of course, could be that GOA and/or III Corps simply do not know all that their forces may be doing, or they could be deliberately concealing detention.

3. Officer of FonMinistry Human Rights Working Group told us November 19 that he had been able to obtain no information concerning disappearance of Martinez, thus confirming report 1/ which came to us through private channel.

4. Request you inform Congressman Drinan of substance of this report. British Embassy is sending same information to London for Lord Avebury.

CHAPLIN

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~~CONFIDENTIAL~~
Classification

CONTROL: 7694
NOV 76 1439

TELEGRAM

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E.O. 11652:
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SUBJECT:

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| FROM | AMEMBASSY BUENOS AIRES | CLASSIFICATION | LIMITED OFFICIAL USE |
| <p>EA SHUM AR Argentine Victor Jacobo Noe</p> <p>SECSTATE WASHDC</p> <p>LIMITED OFFICIAL USE BUENOS AIRES 7694</p> <p>Ref: BA 7590</p> <p>For Ministry human rights working group told Baboff Nov. 18 that Victor Jacobo Noe was "no registrado". As we have noted previously, the working group's information comes largely from Interior Ministry lists of persons officially detained by specific Executive decree, which in some cases may come some time after a person is first picked up. We have asked the working group to keep this and other similar cases open and report to us new information as it comes available.</p> <p>CHAPLIN MC</p> <p>109-812-99</p> | | | |

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| DRAFTED BY: POL:YThayer:jr | DRAFTING DATE 11/24/76 | TEL. EXT. 121 | CONTENTS AND CLASSIFICATION APPROVED BY: POLCOUN: [Signature] |
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~~LIMITED OFFICIAL USE~~
CLASSIFICATION

TELEGRAM

CONTROL: 7824

1 Dec 76

1750

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

NA

SHUM AR

GOA Responds to Human Rights Queries

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 7824

Ref: ~~11~~ a) State 290465 b) State 286308 ~~XXXXXXXXXXXX~~

1. The FornMinistry human rights working group has given Emboffs the following information on American interest cases:

Emilio and Carmen de Ipola--detained under Executive decree

88/76 and charged with subversive activities.

Andres Cultelli--detained under Executive decree 1064/75.

Sources confirm Cultelli was found guilty and sentenced to 14 years for crimes against national security. His case is under appeal.

Roberto Pizarro and wife--expelled from Argentina.

Marcelo Gelman, wife Maria Claudia Garcia Gelman, Nora Gelman--no registrado.

Gerardo Gatti Atuna--no registrado.

Francisco Bellagamba, Manuela Elmina Santucho, Mario Schreier,
Silvia Saez de Vuistaz, Maria Perez Bravo, Maria del Carmen Sabino,
Namba Villagra, Raimundo Nachumow, Marcos Basilio Arocena--information

AMB
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 MILGP2
 SCIAT
 LEGAT
 RF
 CHRON

DRAFTED BY:

POL:YThayer:jr

DRAFTING DATE

12/1/76

TEL. EXT.

121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUN:WSSmith R3

CLEARANCES:

~~LIMITED OFFICIAL USE~~

CLASSIFICATION

OPTIONAL FORM 153
 (Formerly FS-413)
 January 1975
 Dept. of State

pending review.

2. Embassy has no information concerning Argentine national Claudia Ines Peiro (reftel B).

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~~LIMITED OFFICIAL USE~~

CONTROL: 7850
DEC 76 1733

TELEGRAM

INDICATE
☐ COLLECT
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

GDS

PINS PINT SHUM AR

Human Rights Round-up No. 6

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 7850

AMB

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1. Four Argentine priests were detained for questioning following a massive police raid on a private Catholic gradeschool in Buenos Aires' northern district on Nov. 29. The priests had apparently been denounced by disgruntled parents who opposed the "leftist content" of their sermons and religious instruction in the school. It remains unclear whether police found subversive material during their five-hour search of the school and adjoining church. Apparently conflict between parents and some of the priests over religious training had been growing since last April. Two months ago the school was investigated by police following a complaint that some of the teachers were "subversives." The accusations were not substantiated. ~~Today~~^{The} BA Herald (Dec. 1) called the raid and subsequent newspaper accusations against the priests preposterous and dangerously similar to extremist-style witch hunts.

2. Argentine postulant priest Pablo Gazzarri reportedly disappeared

DRAFTED BY:

POL:YThayer:jr

DRAFTING DATE

12/2/76

TEL. EXT.

121

109-212-101
CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSS:mj (En-draft)

CLEARANCES:

POL/R :JSears

~~CONFIDENTIAL~~
CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

Nov. 28. He was to have been ordained in to the French Order of Little Brothers of Charles Focould, the order of Working priests which includes Irish priest Patrick Rice. Rice is still under detention in La Plata prison but Irish Embassy sources Dec. 1 reported an expulsion order has been issued and he is expected to be deported soon.

3. A new law authorizing the establishment of special military ^{courts} ~~was~~ ~~martial~~ ~~courts~~ to try persons accused of subversive crimes went into effect Monday Nov. 29. The law also extends the jurisdiction of military courts martial to cover a number of lesser offenses formerly tried by civilian courts, including aiding and abetting, incitation to violence, intent to commit crimes against national security, etc. It replaces three other laws governing trials for crimes of subversion. Under the law, each regional commander is empowered to set up "special, permanent ^{courts martial} ~~courts martial~~" when and as he sees fit. The only detail stipulated in the law is that the rank of the presiding officer must correspond to the severity of the sentence faced by the accused. Suspects who face the death sentence will be judged by a court presided over by a general; in cases involving lesser penalties, lower ranking officers may preside. According to the Ministry of Justice, the military trial system will permit "more rapid and efficient repression of subversive crimes, and with the necessary severity." (COMMENT: Essentially the law expands the authority ^{given} ~~and extends the jurisdiction of~~ ~~legitimacy~~ ^{to} ~~of~~ the military courts martial system which was

authorized to try civilians on subversive charges by the military govt shortly after the March coup. It also appears to be an effort to streamline and quicken the judicial process in subversive cases, which have frequently dragged on in civilian criminal courts for years.)

4. Two other laws concerning trial procedures for subversive crimes were also approved recently (Nov. 19). Law 21.459 amends the national security law 20.840 of September 1974, providing for stiffer sentences for a number of crimes against national security, including illegal labor activity and publishing houses that print subversive material. Law 21.460 authorizes the Armed Forces and security forces to investigate crimes of a subversive nature through a summary pretrial. The law gives security personnel express authority to arrest persons who appear to be implicated in subversive crimes and to collect evidence for presentation to a pretrial judge, who will be an officer assigned by the police or military branch investigating the specific crime. The judge is to make a preliminary finding on the case, order the release or detention of the accused, and refer the case to the area military commander who will forward it to the appropriate court. Significantly, the law holds that the testimony and other proof gathered during the summary pretrial will have "full probatory value without any need for confirmation and as long as there is no proof to the contrary."

(COMMENT: For the most part, the foregoing law simply

~~legislates~~ legitimizes what the security forces have been doing all along in investigation of subversive crimes, i.e. arresting suspects and conducting searches without warrants, etc. The **provides legal backing for the current** summary pretrial ~~puts a gloss of legality on the practice of~~ holding suspected subversives without charge (and often without admitting it or informing the family) while the investigation goes on. The "preventative arrest" stage now becomes the more respectable "summary pretrial" stage. More disturbing is the final provision of the law ~~which~~ concerning evidence and testimony collected during the pretrial. How secret this information will be and how it may be used in subsequent trials remain to be seen.)

5. Army Colonel Leonard Roberto d'Amico was killed yesterday (Dec. 1) in a terrorist ambush in Buenos Aires as he was taking his two children to school. His driver was badly injured in the attack by eight armed gunmen, according to police reports. Two civilians were killed and several others wounded in a shootout in a crowded bus in Santa Fe yesterday as police chased after three terrorists who attempted to throw a hand grenade out of the bus.

6. A total of 130 suspected subversives were officially reported killed in confrontations with security forces during the month of November. About 100 were killed in the La Plata area alone. Seven persons, including four who were identified in an army communique as being the top leaders of a Montonero cell in La

Plata, were killed in that city on Nov. 22. According to the communique, the military operation uncovered considerable quantities of firearms, explosives and ammunition and effectively destroyed the terrorist group's operational capability.

7. A woman was injured Nov. 24 when a bomb she was carrying exploded prematurely in her hands in the Colon Opera House. She was apparently attempting to throw the bomb on stage during an opera performance. Police arrested the woman. The same day a man was injured when a bomb he was carrying blew up in his face in the downtown banking district.

8. An army communique released Nov. 26 in Mar del Plata listed 59 "fugitives" who were being sought for subversive crimes and asked the local population to assist the security forces in their arrest.

9. Foreign refugees continue to leave Argentina at the rate of 250 to 300 a month, according to the Inter-Governmental Committee on European Immigration (ICEM). UNHCR officials told Emboffs last week (Nov. 22) that it had approximately 1,200 visa offers including now those from the US, remaining, but that there are still about 10,000 refugees anxious to resettle outside Argentina. There have been no reported attacks against refugee groups in recent months.

10. GOA has extended the two month deadline for illegal aliens to register with immigration authorities. Foreign Ministry official told Emboff Nov. 30 that less than 1,000 have registered so far (out of an estimated 500,000--most of them migrant workers).

Although the penalty for non-registration was not specified, the official reiterated GOA policy not to forceably repatriate asylees who are in Argentina for political reasons.

11. The Argentine Supreme Court on Nov. 16 ruled that the Institutional Act suspending the constitutional right to opt to leave the country is valid. In rejecting an appeal by Maria Cristina Ercoli to exercise her right of option, the court stated that the "principles, guarantees and rights recognized by the Constitution are not absolute and, as long as they are not altered substantially, are subject to the laws that regulate their implementation." (COMMENT: The principle that decree-laws of de facto governments supersede previous legislation and even the Constitution is generally accepted and has been upheld by the courts in the past. However, this is the first occasion that the Supreme Court has formally reaffirmed the principle since the Armed Forces took over the govt in March.)

CHAPLIN *pre*

CONTROL: 7935

7 DEC 76 0949

TELEGRAM

INDICATE
☐ COLLECT
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

XGDS-2

SHUM PINT UK AR

Congressman Drinan's Visit to Argentina: GOA Security Forces
Surveillance of Amnesty International Delegation

ACTION:

SECSTATE WASHDC

INFO:

AMEMBASSY LONDON

~~CONFIDENTIAL~~ BUENOS AIRES

7935

Ref: BA 7512

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1. Both Amnesty International (AI) group and British and American Embassy escort officers were aware of intensive GOA escort - surveillance effort during visit Nov 6-15 of AI delegation, of which Cong. Drinan was member. Aspects of this were reported to addressees during visit.

2. We have copy of a clandestine newsletter, which has been circulating in Buenos Aires for some weeks, which purports to draw upon sources within the Federal Police for its detailed report of the surveillance. Newsletter is poor quality flysheet attributed to "Agencia de Noticias Clandestina - ANCLA" (Clandestine News Agency), which is mailed to embassies, news agencies, newspapers, etc. While newsletter has not yet identified its publishers, it is widely assumed that it is issued by one of the leftist extremist guerrilla organizations.

DRAFTED BY:

DRAFTING DATE

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CONTENTS AND CLASSIFICATION APPROVED BY:

POL:RSS Steven:JR POL:RDS Mock

12/3/76

121

POLCOUNS:RSS Smith

CLEARANCES:

POL/R:DS Mock

DCM: MChaplin

15/5

~~CONFIDENTIAL~~
CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

probably the Montoneros. Its content varies from general political commentary to detailed descriptions of alleged security forces abuses. While we cannot yet judge its degree of accuracy and "honesty," the information contained in recent issue No. 126 dated Nov. 25 concerning AI visit could only have come from sources within the security forces or from very close surveillance of the visit by the extremists themselves, the latter unlikely in view of the swarms of police around the AI group.

3. ANCLIA claims that Federal Police mounted one of largest intelligence operations on record during AI visit, which police entitled "Operations Christmas". According to ANCLIA, the group's hotel rooms were monitored for sound, telephones tapped, and rooms entered by police in absence of visitors to search belongings and photograph documents. Each was followed on excursions from hotel, and all activities and contacts noted. Newsletter records report of surveillance of Ms. Feeney during her visit to restaurant where she met contact, etc. ANCLIA also records alleged police reports of addresses of houses visited by AI members, various of their movements, visits to press, etc. Sample of police radio dialogue is reported, which could have come from police documents or from monitoring. Accuracy is indicated by statement that Drinan and Feeney visited certain street address in suburbs; number given is that of garage entrance of Emboff's home where Drinan

and Feeney were guests for Sunday afternoon lunch. Emboff was not rpt not named, however, nor was address otherwise identified. ANCLA noted presence in area of "Dodge 1500 with diplomatic plates...being used by Naval Intelligence for surveillance." Auto was present, but it was security vehicle of this Embassy occupied by contract guards. Very heavy and very obvious police protection/surveillance was observed at time by Emboffs, and pictures were taken by telephoto lens of Drinan and Feeney entering and leaving home.

4. COMMENT: AI visitors were well aware of police protection - surveillance at time, and at one point Ms. Feeney remarked with pride on evasion maneuver she had used to complicate job of police agents following her. However, they continued to meet both "open" contacts such as newspaper editors and diplomats, and "private" contacts such as human rights complainants, in circumstances which invited the most casual observation and possible police retaliation (i.e. interview and supplying of money to Josefa Martinez in hotel lobby in Cordoba).

5. While we cannot be certain that the charges of telephone tapping, sound monitoring and entering of rooms are true, we and British Embassy consider such actions on the part of the police to have been highly likely. Blatent surveillance activity as distinct from protection appears to contradict apparent intention of GOA to let AI visit and take away best possible impression, but it reflects contradictions

previously noted in other GOA treatment of visit. While Fon Ministry and some parts of Min Interior made what seemed to be sincere efforts to cooperate, provide information and leave good impression, official news agency TELAM led smear campaign against AI in general and visitors in particular. Police evidently took opportunity to monitor visitors both to establish with whom they talked and what about, and probably to intimidate some of those who might have wanted to approach the AI group, not caring whether or not such activity might prejudice AI visitors.

6. ANCLA newsletter is available to news agencies, etc., and this information may be reported to press abroad. We see no apparent objection to informally briefing Drinan on ANCLA report, but leave decision to discretion Dept. We understand British Embassy has sent similar report to London.


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CONTROL: 7971
7 DEC 76 1625

TELEGRAM

INDICATE
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FROM
AMEMBASSY BUENOS AIRES

CLASSIFICATION
~~CONFIDENTIAL~~

E.O. 11652: GDS
TAGS: SHUM AR
SUBJECT: IRC Delegation in Argentina

ACTION: SECSTATE WASHDC PRIORITY

INFO: AMEMBASSY GENEVA

~~CONFIDENTIAL~~ BUENOS AIRES 7971

Forn Ministry official told Emboff today (Dec. 7) that four man delegation of the International Red Cross had recently arrived in Argentina for three month observation trip. Group has already been received by President Videla and will visit entire country, including jails, official said. Visit is being kept strictly confidential at the wish of the delegation. Official added that OAS human rights group has not asked to make a visit but would be welcome to do so at any time.

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109-812-103

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| DRAFTED BY: POL:YThayer:jr | DRAFTING DATE 12/8/76 | TEL. EXT. 121 | CONTENTS AND CLASSIFICATION APPROVED BY: POLCOUNS:WSSmith |
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CLEARANCES:

DCM:MChaplin

(IN Draft 12/8)

DEC 8 1976

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10 DEC 76 XE 1708

TELEGRAM

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FROM
AMEMBASSY BUENOS AIRES

CLASSIFICATION
~~LIMITED OFFICIAL USE~~

E.O. 11652:
TAGS: NA
SUBJECT: SHUM AR
Argentine Lawyer Angel Bustelo

ACTION: SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 8035

REF: STATE 293177

Embassy files have no information on status of Argentine national

Angel Bustelo.

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12/10/76

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CONTENTS AND CLASSIFICATION APPROVED BY:
POLCOUNS:WSSmith 137

CLEARANCES:

DCM:MChaplin

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CLASSIFICATION

OPTIONAL FORM 103
(FORM 103-10-103)
JANUARY 1976
GSA GEN. REG. NO. 27

TELEGRAM

CONTROL: ~~XXXX~~ 8639

10 DEC 76 1815

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

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E.O. 11652:
 TAGS:
 SUBJECT:

NA

SHUM PINS AR

Josefa Martinez Freed; Letelier Sotomayer, Others Expelled.

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES ~~EX~~ 8039

REF: a) BA 7606; b) State 298736

1. FornMinistry human rights working group informed Emboff today (Dec. 10) that Josefa Martinez has been freed. He gave no further details. (reftel A).
2. British Embassy told Emboff today that Sergio Letelier Sotomayer left for London November 30 (reftel B). An expulsion order (apparently the second) was signed around Nov. 18. He has gone to England on a World University Organizations scholarship.
3. The Interior Ministry yesterday released the names of 198 detainees who as of October are no longer being held by the Executive under state of siege provisions. The list includes the names of 13 foreigners--6 Chileans, 2 Paraguayans, a Mexican, a Bulgarian, a Peruvian, an Uruguayan and a Spanish ex-priest--who were expelled from the country in October. The communique did not specify whether the others have been released or were still facing

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POL:YThayer:jr

DRAFTING DATE

12/10/76

TEL. EXT.

121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

DCM:Chaplin

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 CLASSIFICATION

OPTIONAL FORM 10
 (Form 10 FS-10)
 January 1960
 GSA, of GPO

criminal charges. ~~Embassy, which is familiar with names of~~
~~detainees, but is pouching list to Department~~ However,
call to Human Rights Working Group at Foreign Ministry by Embassador
brought assurance that at most only "one or two percent" of
those on the list could still be held for processing by
military or ~~xx~~ civil ~~xxx~~ courts: "the rest are on the
street," according to the Ministry. We were also informed
that another 300 detainees are to be released very soon, and
that a total of some 500 may be freed before end of year.
We do not recognize any names on list which are ~~xxx~~ familiar
to us as of American interest, but are pouching list to
ARA/EC.

HILL (CLEARED BY PHONE)

TELEGRAM

COMM: 2239

30 DEC 76

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INDICATE

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

NA

PINT PINS SHUM AR

Human Rights Roundup No. 7

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 2239

1. The Executive will release 400 more persons detained on subversion charges before the end of the year, according to Interior Minister Harguindeguy in a magazine interview published this week. In his prepared answer to a questionnaire published in Discussion, Harguindeguy also said that a list of 200 detainees freed in November will be released soon. Together with the 200 freed in October, the total released in the last three months of 1976 will be 800, he said. (Comment: The November list he referred to has not yet appeared.)

2. The Argentine Episcopal Conference has asked President Videla to give "favorable consideration" to persons imprisoned in Argentina during this Christmas season, it was announced Dec. 16. The note, together with his personal appeal, was delivered to Videla by Conference President Cardinal Primatesta at a meeting Dec. 8. On the subject of human rights, Videla told journalists on Dec. 16

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12/20/76

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CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

POL/R:DSmock (in draft)
LEGATT:RScherrer (in draft)

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DCM:MChapman
DECLASSIFIED
DEC 1976

~~LIMITED OFFICIAL USE~~

CLASSIFICATION

OPTIONAL FORM 103
(Formerly 18-110)
January 1975
Dept. of State

that, although the anti-guerrilla war would continue until subversion was annihilated, it was necessary, in continuing the war, to take into consideration respect for human rights. If not, Videla said, "we lose sight of one of the ~~principles~~ ~~xxxx~~ principal reasons we are fighting the war, which is the defense and dignity of man." Videla has also sent a message congratulating Pope Paul for his Dec. 14 papal peace message, the press reported yesterday (Dec. 19). In his message, Videla described the arduous government effort to eliminate unjust aggression. "We are determined to win the peace and reorganize a community on the spiritual foundations upon which the nation was built. The decisive battle has been won but the fight continues to construct the peace." Videla assured the Pope his peace message "would not fall upon deaf ears."

3. Police released two of the four priests arrested in the Nov. 29 raid on San Miguel school, according to the Catholic news agency Dec. 15. The two were Ignacio Racedo Aragon, Father-Superior of the Lourdes order which runs the church and school, and Andres Baque. It was also reported Dec. 18 that the Foreign Ministry (which handles relations with the Church in Argentina) has replied to a formal request by Archbishop Aramburu for a report on the raid and the evidence against the priests. Contents of the Ministry's report were not revealed.

4. Two professors charged in an ideological infiltration plot in Bahia Blanca were cleared by a federal judge Dec. 16. The two had been indicted for indoctrinating students in leftist

ideology at the University of the South in Bahia Blanca. In his decision, the judge said the indictment should not affect the honor and good name of the men cleared.

5. A special court martial set up under the Fifth Army Corps in Bahia Blanca on Dec. 16 has tried three persons identified as members of the Peronist Armed Forces (FAP). Two were sentenced to 18 months for possession of firearms and inciting public disturbance; the other to 6 months as accessory. Apparently this is the first special military tribunal established to try civilians for subversive crimes since the Nov. 29 law authorizing their creation by military commanders was passed. (Comment: The sentences imposed were considerably lighter than those permitted by law, which provides for sentences of up to eight years for disturbing public order and possession.)

6. Police are seeking ~~sociologist~~ sociologist Jose Luis Dios, an advisor in the Defense Ministry's planning department, for the bombing there on Dec. 15 in which 11 persons were killed. Dios had worked in the office since 1969. According to press reports, Dios was known to be a Peronist and extremist since 1973 but had "inexplicably escaped successive purges" of his Defense office. Reportedly he left a briefcase containing the bomb in the cinema and then disappeared.

7. Permanent Assembly of Human Rights has asked President Videla to release a list of persons detained, their whereabouts and charges against them in a paper presented to Videla earlier this week, according to La Nacion Dec. 15. The paper notes that

~~LIMITED OFFICIAL USE~~

~~Classification~~

OPTIONAL FORM 1-62
(Formerly FS 110)
January 1962
Dept. of State

the restoration of peace is not only hampered by the war against subversion but also by persons who convoke ideological confrontations. It mentions thousands of letters received by the Assembly relating to cases of disappearances, torture, robbery during security raids, detention without charge and says that the lack of information from official sources is creating an atmosphere of terror and insecurity.

8. The Delegation of Argentine-Israeli Associations (DAIA), the Argentina-Israel Mutual Association, and the director of the National Immigration Service celebrated the contribution of Jewish immigrants in Argentina at a Dec. 15 program commemorating the 100-year anniversary of the Colonization and Immigration law. In his speech, DAIA president ~~Resniky~~ warned against distortions in the name of nationalism, saying it is "criminal to incite Argentines to civil war as do those who produce racist publications."

10. Argentina has agreed to accept a resident delegation of the International Red Cross and its program of humanitarian assistance for detainees, according to a report in La Razon Dec. 15. President Videla told visiting IRC President Alexander Hay that the Red Cross could organize whatever assistance program it wanted, particularly on behalf of detainees. The report noted that Uruguay refused to accept the IRC program.

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23 DEC 76 1052

TELEGRAM

INDICATE
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

NA

SHUM PINS AR

GO A Frees 541 from Executive Power, Expells Others

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 8297

REF: Buenos Aires 8039

1. The Executive yesterday (Dec. 22) published a list of 541 detainees who since Nov. 1 are no longer being held at the disposition of the Executive under state of siege provisions, According to press reports, this brings to 1,423 the number of detainees released from Executive power since March 24. It is not known, however, how many of these have actually been released or how many remain jailed facing criminal charges. The names listed are not familiar to Embassy as American ^{interest} cases, although several are labor leaders known to Labatt. A quick perusal of list shows several names have appeared on earlier list sent to Dept. under cover of Smith-Rondon O-I on Nov. 23 (see septel). Embassy is pouching list to ARA/EC.

2. The communique also listed 18 foreigners who have been expelled from Nov. 1 to Dec. 22. The names include seven Chileans, three Uruguayans, two Bolivians, two Paraguayans, two Spaniards (one an

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POL:YThayer:jr

DRAFTING DATE

12/23/76

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CONTENTS AND CLASSIFICATION APPROVED BY:

POICOUNS:WSSmith

CLEARANCES:

DCM:MChaplin

~~LIMITED OFFICIAL USE~~

CLASSIFICATION

OPTIONAL FORM 10
(Rev. 1-75)
JAN 1976
FORM 10-100

2-5
ex-priest), one Egyptian and one German. Uruguayan Senator Enrique Erro, who we reported was expelled on Nov. 3, and Chilean Sergio Edgardo Muñoz Martinez were the two familiar names on this list. (Sêrgio Muñoz was subject of John Russell letter of Feb. 6 and Judith Kahane letter of March 29.) Although the press gives the total of foreigners expelled as 114 since March 24, six of the names published in yesterday's list (which was to cover Nov. 1 to Dec. 22) also appeared on the list of 13 foreigners expelled in October, including Spanish ex-priest. (See reftel.) Whether GOA's publishing the same names twice to swell the number of expellees and of detainees was intentional or a misinterpretation of the press, we do not know.

3. COMMENT: A number of persons known to Embassy--including Emilio Mignone and wife of Physicist J. C. Gallardo--must be disappointed as they had informed Emboffs earlier they had hopes of seeing their relatives freed during the Christmas "amnesty." Mrs. Gallardo visited Embassy last week (Dec. 17) to inform us that her husband had received job offer from a New York State University and had initiated steps to petition Interior Ministry to leave the country. This is first petition case known to Embassy. We will report developments as they become known.

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30 DEC 76 1243

TELEGRAM

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FROM

AmbEmbassy BUENOS AIRES

CLASSIFICATION

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E.O. 11652:

N/A

TAGS:

SHUM, AR

SUBJECT:

Human Rights Round-up No. 8

ACTION:

SecState WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 8403

REF:

Buenos Aires 8239

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 CTRON

1. The Catholic Information Service has announced that the last two priests of the four detained in the San Miguel raid earlier this month were released December 24 (see reftel); one of them, Father Bernardo Cano Feijoo, flew to Paris last night (Dec 29). According to Church sources, there are now no priests or members of religious organizations in detention in Argentina. (A group calling itself the Parent's Union of San Miguel School published a statement Dec 21 accusing the San Miguel priests of teaching leftist ideology in the school. On Dec 24 the Lourdes Order, which runs the school, denied the charges and accused the parents' group of slander and "attempting to provoke a crisis between the Church and State.")

2. According to La Opinion Dec 28, the three children, four nieces and sister-in-law of slain ERP leader Mario Santucho

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FIDE:WSSmith

JAN 1 1977

LEGAL ATTACHE - BUENOS AIRES

~~LIMITED OFFICIAL USE~~
 OPTIONAL FORM 153
 (Formerly FS-413)
 January 1975

left for Cuba on Dec 27. The Santucho family had sought asylum in the Cuban Embassy several months earlier. We are still trying to verify the names of the Santuchos who departed, as it is possible one of them is Manuela Santucho, who has been subject of U.S. interest.

3. A federal appeals court upheld the constitutional right of the government to hold people indefinitely under the State of Siege in a decision published Dec 21. In refusing a writ of habeas corpus for Santiago and Adolpho Chouhy, who were detained by decree on June 1, the judge ruled that their detention period was so far not excessive nor did it constitute a denial of constitutional guarantees. The judge also observed that although the Executive enjoyed extraordinary powers during State of Siege, the justice system also had the responsibility to analyze and rule on State of Siege measures adopted by the government. (It should be noted that both Santiago and Adolfo Chouhy were on the Dec 23 list of persons liberated from the disposition of the Executive which may or may not indicate that a habeas corpus attempt--even if refused--may do some good anyway.)

4. A new list of 123 detainees who are no longer being held at the disposition of the Executive was published today (Dec 30). With this list--the third this month--papers report that 1,660 persons have been released from Executive power since March 24. A number in the latest list had been detained under State of Siege since 1974, according to La Opinion. The paper did not

identify the names, however. The press also reported that the Interior Ministry has decided to release a weekly list of persons freed from Executive power and names of persons who are being detained under State of Siege provisions. (So far, the Ministry has never published lists of persons being held under State of Siege or the charges against them.)

5. The Embassy does not recognize names on the latest list, which is being pouched to ARA/ECA. However, sources report that three refugees named on the Dec 23 liberated (from Executive power) list have not yet reappeared. We are seeking to identify more of the names and the significance of the lists. Whether the Interior Ministry's plan to release weekly lists of names will fully clear up the mystery of those disappeared and detained remains to be seen, although the decision is certainly a step in the right direction.


HILL

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3 JAN 77 1710

TELEGRAM

INDICATE
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FROM: AmEmbassy BUENOS AIRES
CLASSIFICATION: ~~LIMITED OFFICIAL USE~~

E.O. 11652: N/A
TAGS: SHUM, PFOR, AR
SUBJECT: ~~XXXX~~ Human Rights: Press Release on Human Rights Report

ACTION: SecState WASHDC PRIORITY

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0025

REF: State 314178

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Local reaction to congressional publication of human rights report on Argentina has been limited so far to printing of Since it too early for editorial reaction. wire service reports from the U. S./ Minor or inside page headlines in major papers are innocuous, however, effectively concealing substance of story: La Nacion headlined "Future Policy of U. S. Toward Various Countries," and la Prensa said "New Legislative Session in U.S." The liberal and human rights-oriented BA Herald headlined quote from story "Aid Should Continue." "La Opinion" gave fuller description of report, but ~~There is no additional comment on this report.~~ also headlined fact that continuation of aid was recommended.

HILL

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JAN 4 1977

DRAFTED BY: POL:RSSSteven:mg
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CONTENTS AND CLASSIFICATION APPROVED BY: A/POLCOUNS:AGFreeman

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USIS:KRay

DCM:MChaplin
Amb: RCHill

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CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-510)
January 1975
Dept. of State

3 JAN 77 1755

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

N/A

SHUM, PFOR, AR

Human Rights: Draft Unclassified Report to Congress in Connection
with Security Assistance Presentation

SecState WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0030

FOR ARA/ECA

REF:

Letter dated December 15, 1976 from Rondon to Ambassador Hill

1. Letter not received here until December 29.

2. We have following comments only on proposed statement:

a) Page 4, second line - Suggest change of first full
sentence to "In August 1976, the Argentine Government reaf-
firmed the ban on the Witnesses which has legally existed
since 1950, and moved to enforce it."

b) Page 4, last sentence of Part III - Strike "some labor
unions" and replace with "the largest and most important
labor unions."

c) Page 5, last sentence - Suggest change to "In December
1976, Freedom House listed Argentina as 'not free'." (This
has been reported in press here. We have not yet seen
Freedom House report and Dept should of course verify.)

HILL

109-812-110

DRAFTED BY:

POL:RSSSteven:mg

DRAFTING DATE

1/3/77

TEL. EXT.

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CONTENTS AND CLASSIFICATION APPROVED BY:

A/ POLCOUNS: AGFreeman

CLEARANCES:

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AMB:RCHill me

DCM:MChaplin

LEGAL ATTACHE BUENOS AIRES

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CLASSIFICATION

OPTIONAL FORM 153

(Formerly FS-412)

January 1975

Dept. of State

TELEGRAM

CONTROL: 0149

7 Jan 77
1635

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

GDS

PINT SHUM AR

Human Rights Working Group and US Interest Cases

ACTION:

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 0149

AMB
DCM
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POL/R
ECOM
USIS
USDAO
MILGP2
SCIAT
LEGAT
RF
CHRON

REF: (a) Buenos Aires 7429, (b) Buenos Aires 8297

1. Counselor Edgardo Flores, a career diplomat, has recently come to the Foreign Ministry's human rights working group from his former post in Switzerland. Flores served a total of six years in the US in the early 1960s, four in the Argentine Embassy in Washington, and two in the consulate in New York. He has two children born in the US. Flores' English is excellent, although our discussions are held in Spanish. Captain Roberto Seisdedos has now proceeded to his new command in Trelew and, according to Flores, will not be replaced by a Navy (or other military) officer in the working group. The group is now headed by Counselor Juan Carlos Arlia, another career diplomat. The working group is located in office of Under Secretary Allara, and is probably to be overseen by Navy Captain Santoianni of the Under Secretary's staff.

2. In two meetings with Emboffs, Flores has been friendly and

pp3+4

DRAFTED BY:

POL:YThayer:jr

DRAFTING DATE

1/7/76

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CONTENTS AND CLASSIFICATION APPROVED BY:

A/POL/COMS:AGF

CLEARANCES:

CONS:GWhitman (in draft)

SEARCHED: AGF

SERIALIZED: RCHill

FILED

JAN 10 1977

BUENOS AIRES

~~CONFIDENTIAL~~
CLASSIFICATION

correct; also increasingly frank about the limitations on what information he is able to get from the Interior Ministry in answer to informal Embassy inquiries. ^{On} ~~Today~~ (Jan. 6) he informed Emboff that due to its heavy workload the Interior Ministry is no longer able to make checks on cases without more detailed information, i.e. the full name, birth date, address, identification card number, parents' names and address, if known, etc. Without refusing to take names lacking the additional information, Flores indicated that it is doubtful the Interior Ministry could or would ~~not~~ take the time to run checks.

3. In answer to general questions asked in a previous meeting, Flores said that the Interior Ministry does not intend to inform foreign embassies of the specific charges against Argentine citizens being held under the state of siege. Anyway, he remarked, in most cases the answer would only be that the person is being held on suspicion of committing acts against the national security (subversive acts or affiliation).

Flores also said that the Interior Ministry would not reveal the names of those on the "Christmas lists" who have actually been released or of those who have been turned over to the courts to answer civil or criminal charges. As the Ministry of Justice is responsible for civil and criminal proceedings, Flores said, relatives would have to query the Justice Ministry for information on specific cases. (Embassy continues to seek information on the significance of these lists, but we increasingly

hear allegations that a large number of those appearing on these lists have not returned to their homes and we are only aware of a few who have been remanded to the normal judicial process.)

4. Flores also advised that the Interior Ministry does not intend to "facilitate" access of foreign consular officials to detainees in the case of third-country nationals and Argentines. The issue arose during an earlier discussion about the parole program: whether consular officers would be able to interview detained refugees who might potentially be considered for parole into the US either in jail or some other location. The question is also pertinent to the new program of the Interior Ministry to allow detained Argentines to petition to leave the country if accepted by a foreign country. (We have several cases--Juan Carlos Gallardo, Juan Mendez, Dora Goldfarb--in which the family has asked whether the Embassy could provide a visa should their relative be authorized to leave the country. The Embassy was interested in knowing how the required visa interview might take place, since the detainee would probably not be released from jail to make a personal appearance to the consular officer. Although we have no test cases yet, it appears that the Interior Ministry does not intend to simplify the problem of access should such a case arise.)

5. On Antonio Misetich ~~(xxxx)~~, Flores said the Argentine Embassy's reply was in error, that Misetich was not in the

k

hands of the Executive and had, in fact, disappeared. The Argentine Ambassador has received instructions to correct any misunderstandings on this case, he said.

6. Flores said the status of Juan Mendez was unchanged (reftel yesterday)
A). (Embassy heard from Mendez' father ~~today~~/morning that a decree authorizing him to leave the country lacked only the President's signature. See septel.)

On Jan. 6
7. Embassy ~~today~~ asked for information on Claudia Ines Peiro, Mr. and Mrs. Americo Delia Sady, Angel Bustalo, Edmundo and Susanna Szapiro, and Miguel Angel Poinsteau (Amcit mother).

From Flores' discussion, Embassy does not expect replies will be forthcoming unless more identification can be obtained.

on Jan. 6
8. Juan Mendez' father told Emboff ~~today~~/that he received letter from Cong. Koch in December saying Koch and group of congressmen intend to submit a bill when January session opens requesting expansion of parole program to include Argentine citizens. Embassy would appreciate learning of further developments.

9. Embassy has learned from wife of Juan Carlos Gallardo, who we note is subject of considerable Department communication, that Professor Gallardo is currently being held in Sierra Chica prison in Buenos Aires province, that she has visited him and he wishes to go to US, and that he has submitted petition to leave the country (see reftel B).

10. COMMENT: In view of Flores' comments, Embassy would appreciate an effort to obtain identification information on each case submitted for inquiry.

~~X~~
HILL

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

TO : See Distribution Below

DATE: Jan. 7, 1977

FROM : DCM:Maxwell Chaplin

SUBJECT: Human Rights Representations Report

Attached is the form the Embassy intends to use in preparing a chronological record of human rights representations. Please follow this form--date, reference, principals and topics--in submitting your own list. The reference will refer to the cable, memcon, letter, OI, briefing or other record of the conversation; if there is no written record mark down "no record". Where more than one Embassy officer is present at the same discussion, all the names can appear in the same entry. These lists are classified ~~CONFIDENTIAL~~. Submit written reports to POL by January 11. Thank you.

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USIS:HMcLWoodward
SCI:RHWilcox
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DAO:Col.PACoughlin
LEGATT:RWScherrer
DEA:RCTryal
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109-81Y-112

Cleared:

A/POLCOUNS:AGFreeman

~~CONFIDENTIAL~~



5010-103

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

~~CONFIDENTIAL~~

Amb. Hill

December 15, 1976

TO: Mr. Bray

FROM: ARA/ECA: Fernando Rondon

SUBJECT: ARGENTINA: Record of Human Rights Representations

Based on my files, I have developed the following chronology of human rights representations involving Department officials and Argentine officials. This is at best a partial record because human rights concerns are discussed almost daily between the Argentine Desk and the Argentine Embassy. We are of course endeavoring to record significant conversations more faithfully.

| <u>DATE</u> | <u>REFERENCE</u> | <u>PRINCIPALS AND TOPICS</u> |
|-------------|----------------------|---|
| 5/27 | State 131390 5/27 | Deputy Assistant Secretary Ryan and Ambassador Vazquez discuss political violence, disappearances, and refugee murders. |
| 6/17 | State 161482 6/29 | Assistant Secretary Shlaudeman raises human rights concerns with Argentine Minister of Economy Martinez de Hoz. |
| 7/22 | State 181977 7/23 | Assistant Secretary Shlaudeman raises refugee kidnappings with Ambassador Musich. |
| 8/5 | No record. | Director of East Coast Affairs Zimmermann reviews human rights issues with Ambassador Musich. |
| 8/12 | State 200962 8/12 | Deputy Assistant Secretary Ryan protests to Ambassador Musich failure of Argentine Government to grant consular access to Father James Weeks. |
| 8/16 | No record. | Director of East Coast Affairs Zimmermann discusses Weeks/Lopez cases with Argentine Ambassador Musich at Uruguayan reception. |

| <u>DATE</u> | <u>REFERENCE</u> | <u>PRINCIPALS AND TOPICS</u> |
|-------------|---|--|
| 10/6 | Memcon 10/6 | Acting Secretary and Assistant Secretary Shlaudeman discuss human rights problems with Foreign Minister Guzzetti. |
| 10/7 | Memcon & State 251484 10/9 EXDIS | Secretary notes desirability of human rights improvements to Foreign Minister Guzzetti. |
| 10/15 | Off the re- cord briefing. | Argentine desk officer Rondon briefs Argentine Army War College on seriousness of human rights interest in U.S. and potential effect on bilateral relations. |
| 10/27 | State 265565 10/28 | Deputy Assistant Secretary Bray hands protest note to Ambassador Musich over treatment of Gwenda Mae Loken Lopez. |
| 11/19 | Memcon 11/19 | Deputy Assistant Secretary Bray discusses impact of human rights on bilateral relations with Argentine Charge Prat Guy. |
| 12/8 | Rondon-Hill OI of 12/13 | Argentine desk officer Rondon raises human rights issues with Argentine Assistant Army Attache, Lt.Col. Rodriguez. |

cc: Ambassador Hill
Mr. Lister
Mr. Zimmermann

CONTROL: 0102
5 JAN 77 1731

TELEGRAM

INDICATE
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FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:
TAGS:
SUBJECT:

GDS
SREF, PROR, AR, BR
Argentine Request for Political Asylum

ACTION:

SecState WASHDC

INFO:

AmEmbassy BRASILIA

~~CONFIDENTIAL~~ BUENOS AIRES 0102

REF:

Brasilia 0069

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POL/R
ECOM
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CHRON

Although Embassy ventures no recommendation on Argentine national Foche's request for political asylum (which most likely would have been turned down here under U. S. policy of hot ~~XXXXX~~ pursuit had the request been made), it is true that his association with the Peronist Youth Movement makes his situation here extremely precarious. Argentine authorities are cracking down increasingly hard in their attempt to wipe out all traces of subversive sentiment, and are known to have rearrested persons under state of siege provisions in the past. Embassy has had no legitimate requests for political asylum from Argentine nationals under this government and is not aware that such an appeal would be known to GOA authorities nor that it would jeopardize the person's safety. However,

109-82-113

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POL:YThayer:mg

DRAFTING DATE

1/5/76

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A/POLCOUNS: AGFreeman

CLEARANCES:

CONS:GWhitman in draft)

AMB:RChill

DCM:MChaplin

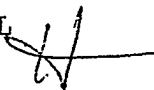
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CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

it is not inconceivable that such a request could have adverse implications should it become known to authorities.

HILL



DEPARTMENT OF STATE TELEGRAM

CONTROL: 0458

19 JAN 77

1725

INDICATE

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

NA
SHUM, PINS, AR
Human Rights Round-Up No. 9

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0458

REF: Buenos Aires 8403

1. On January 14, the Interior Ministry for the first time released a list of 37 people who had been arrested and detained by the Executive under state of siege provisions from January 1-14. At the same time it released the names of 25 more persons who were released from Executive disposition as of January 7 and of two Chileans who have been ordered expelled from the country. (Names of 27 more persons released from the Executive from Dec 29 to Jan 6 were published Jan 8. The majority of them had been connected to the former provincial government of Entre Rios. ~~x~~ Dora Goldfarb's husband Pedro Transito Lucero was also on list.) Embassy is pouching both lists to ARA/EC. The publication of the lists was anticipated Dec 30 when the press reported that the Interior Ministry would begin releasing weekly lists of persons freed from Executive power as well as those being detained under

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1/18/77

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POL:RSSSteven
USIS:MO'Brien

JAN 20 1977

LEGAL ATTACHE - BUENOS AIRES

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REF ID: A66121

CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975

state of siege. This first list included only those arrested and listed as formally detained under Executive power during the first two weeks of 1977; the status of others detained under state of siege from 1974 through 1976 ~~has not been published.~~ The list of Executive detainees did not, however, contain the names of other persons known to have been picked up by police or unidentified groups during the same two-week period. One case is that of journalist Ricardo Angel Gilabert who was held incommunicado by the Army from Jan 9 to 15. Two other persons reported to have disappeared during that period whose names were not on the Ministry list were Prof. Mauricio Lopez, who was taken by nine hooded men from his home in Mendoza Jan 1, and Jorge Pablo Svartzman, who was picked up by three armed men in civilian dress on Jan 14. The Interior Ministry's decision to publish lists of new Executive detainees appears to be a positive development which should help alleviate doubts about the fate of some persons picked up by authorities. However, the lists will not account for those who are held incommunicado by police or other independently acting authorities or for those who are mysteriously kidnapped by unidentified groups.

2. Prensa Libre Editor Ricardo Bach Cano was released after eight days in Federal Police headquarters on order from Interior Minister Harguindeguy Dec 31. Bach Cano had been taken from his office on Dec 22 by four men dressed in civilian clothes who identified themselves as police officers. Although his

family reported him "missing," Bach Cano later described his detention as an authentic arrest and said he was treated well. He said no explanation was given for his arrest except for a warning that "nothing which foments division within the Armed Forces would be allowed." The warning apparently referred to a story published in Prensa Libre (a pro-Fascist newspaper) on rumored divisions within the Armed Forces (similar stories appeared in La Opinion and the BA Herald.) (Another unsubstantiated version of Bach Cano's detention holds that it was planned and performed in order to restore Bach Cano's independent "credentials" within journalistic circles. Bach Cano and his paper are reportedly in the pay of right-wing elements in the military.)

3. A powerful bomb exploded in an unoccupied cinema in Cordoba Friday (Jan 12) heavily damaging the cinema and some 80 adjacent stores in a shopping arcade. There were no casualties. The cinema had been running the film "Victory at Entebbe" for three weeks, prompting some newspapers to report the bombing as an anti-Semitic attack and link it to a robbery the night before in the Israeli Bank in Cordoba. Government authorities are investigating the bombing, but have reported no information as of yet. Today's La Opinion (Jan 18) attributed the attack to anti-Semitic right-wing extremists and, after calling for a complete investigation and clarification of the bombing incident, made the observation that until now authorities have never revealed the

results of earlier investigations or arrests of extremists responsible for right-wing violence in 1976.

5. A bomb exploded in a Jewish school in downtown Buenos Aires Jan 7, causing no injuries and only minor damages. It was the first reported anti-Semitic attack in Buenos Aires in more than three months. La Opinion (Jan 16) reported that a rash of anti-Semitic literature had moved from Buenos Aires and was now appearing on news stands in La Plata.

6. Directors of the Delegation of Argentine-Israeli Associations called on the French Ambassador to Argentina Jan 15 to protest the release of Palestinian terrorist Abu Daud. The group released a statement expressing the profound dismay of the Argentine Jewish community and warned that France was putting itself in future danger from terrorist groups.

7. Four members of the ERP received sentences of 17 and 20 years for illegal possession of arms and ammunition and possession of illegal documents by a Federal judge in Tucuman Jan 11. The four were arrested in May 1974 while transporting military equipment to a terrorist training camp in Tucuman. In another case, a Federal criminal court overturned a lower court's verdict and acquitted Juan Alfredo Palmerio of illegal possession of weapons. Palmerio had been arrested and convicted of the charge in 1974. The court said there was no proof that Palmerio had been connected to subversive groups.

8. A petition of habeas corpus was filed on behalf of Maria

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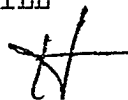
Page 5 of

0459 0458

MRN

Esther Lorusso Lammle, a student of Russian origin who disappeared May 14. According to a press report Jan 6, the Peruvian Embassy had intervened on the Lammle case at the Foreign Ministry.

HILL



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Classification

DEPARTMENT OF STATE TELEGRAM

CONTROL: 0457

19 JAN 77

1721

INDICATE

☐ COLLECT

☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

NA

SHUM, AR

GOA Replies on Human Rights Cases

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0457

REF: Buenos Aires 0149

1. Counselor Flores of the Foreign Ministry's human rights working group provided the following information to Emboff today (Jan 19):

a) Angel Bustello--detained under Executive decree 3196, dated 7.12.76.

b) Claudia Ines Peiro, Juan Mendez, Mr. and Mrs. America Delia Sady, Alba Garofolo, Julio Yañez, Edmundo and Susana Szapiro, Mario Yacub, Julia Klenk, Miguel Poinsteau--none ~~are~~ ^{is} listed as being detained by the Executive.

2. At Emboff's request, Flores explained that a check was first made at the Interior Ministry to ascertain whether the person was listed as being detained under Executive power (PEN). ~~Then~~ Then, he said, the Interior Ministry requests information on the case from police, prison and military officials throughout the country. A reply from these sources may take months, or may never come at all, he said.

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DCM:MChaplin

JAN 20 1977

LEGAL ATTACHE--BUENOS AIRES

CLEARANCES:

POL:R3Steven

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CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975
Dept. of State

That a name is not listed under PEN, therefore, does not mean that the person could not be in custody of police or military somewhere in the country. A case that is "not registered" simply means the working group has no information on the person's whereabouts. In order not to confuse interested US citizens, we suggest dropping "not registered" category when replying to inquiries, and simply report that the working group has no new information.

3. In accordance with Flores request (reftel), we resubmitted the names of Miguel Poinsteau, Edmundo and Susana Szapiro and a new case of Gustavo Pasik for whom we had identification numbers. Flores emphasized that each new inquiry should include this information.

HILL



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DEPARTMENT OF STATE

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FROM
AMEMBASSY BUENOS AIRES

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E.O. 11652:
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SUBJECT:

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SHUM PFOR AR

Argentine Reaction to Human Rights Report to U.S. Congress

ACTION:

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 0485

REF: (a) Buenos Aires 0294, (b) Buenos Aires 0025

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1. On Jan 19 newspaper La Opinion printed the "conclusions" section, parts C and D, of Department's human rights report to Congress on Argentina. In short editorial comment, the paper emphasized importance of actions of Fraser Subcommittee for Argentina; need to avoid "diplomatic isolation," and said Argentines should be aware of "reality" of external image. There was no explanation of failure to publish full text.

2. La Opinion editor Jacobo Timerman, who with Robert Cox of English language Buenos Aires Herald is about only Argentine journalist willing to risk GOA displeasure by focusing on human rights problem, told USIS press officer that he could not safely publish preliminary parts of report which flatly stated findings on official GOA responsibility for counter-terror units and torture of prisoners. He had exercised self-censorship on that part of

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1/20/77

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DCM:MChaplin

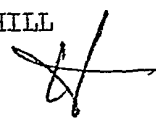
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report, but did not expect difficulties over rest of report, which of course recommended continued military assistance for Argentina.

3. As of morning Jan 20, no other paper had commented upon matter or made any other reference to report.

HILL



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| POI/R | | ✓ | MILGP | | ✓ |
| CONS | | ✓ | PE+ | | |
| ADM | | | GSO | | |
| USIS | | ✓ | B & F | | |
| SCI | | ✓ | CHRON | | ✓ |
| SY | | | RF | | ✓ |

E.O. 11652: N/A

AGS: SHUM, AR

SUBJECT: DISAPPEARANCE OF PROFESSOR MAURICIO LOPEZ

REF: BUENOS AIRES 00458

1. CONGRESSWOMAN SCHROEDER'S OFFICE HAS INQUIRED ABOUT DISAPPEARANCE OF PROFESSOR MAURICIO LOPEZ. CHURCH GROUPS ARE ALSO BEGINNING TO SHOW INTEREST IN THIS CASE. WE WOULD APPRECIATE WHATEVER FURTHER INFORMATION EMBASSY CAN PROVIDE ON PROFESSOR LOPEZ.

2. PROFESSOR LOPEZ HAS BEEN DESCRIBED TO US AS AN ECUMENICAL LEADER. HE WAS LATIN AMERICAN SECRETARY OF THE WORLD STUDENT CHRISTIAN FEDERATION FROM 1956-63. HE WAS A MEMBER OF THE WORLD COUNCIL OF CHURCHES STAFF IN GENEVA FROM 1963-67 AND RECTOR OF SAN LUIS UNIVERSITY FROM 1967 UNTIL RECENTLY. HIS ADDRESS IS OLIGARIO V. ANDRADE 345, MENDOZA. DUTCH AMBASSADOR IN BUENOS AIRES IS APPARENTLY ACTIVELY INTERESTED IN CASE.

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DEPARTMENT OF STATE TELEGRAM

CONTROL: 0294
12 JAN 77
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

XGDS-4

SHUM PFOR AR

Reaction to Release on Human Rights Report

ACTION:

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 0294

REF: Buenos Aires 0025

1. There has been no rpt no editorial comment in local press, with one minor exception, on human rights report presented to Congress by Dept and published Jan 2. The GOA has made no official statement about the report, and has not raised subject with Embassy. Individual Argentines in government and private life have for the most part shown little interest.
2. Emboff visiting FonMin North American Affairs office on Jan 5 on routine matters found that officers there did not even hint at subject of report.
3. After initial wire service reports (reftel), press dropped subject entirely. Only one weekly magazine, "Somos," a notably pro-GOA periodical, in its Jan 7 edition referred briefly to the human rights report. It foresaw a "hot summer" for Argentine-US relations with advent of Carter administration. "Somos" said that State Dept

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FOL:RSS Steven:DCM:MChaplin:jr

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1/12/77

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USIS:MO'Brian

JAN 13 1977

LEG. ATTACHE - BUENOS AIRES

~~CONFIDENTIAL~~

CLASSIFICATION

report to Congress had caused "serious disquiet" in top GOA circles, so much so that a high Armed Services officer had been assigned the mission of "clarifying" the inaccurate information reaching Washington about what is occurring in Argentina, and alerting future American officials to the injustice of the incomprehensible campaign loosed against our country." (We have no confirmation of this story).

4. Discreet efforts to learn whether or not GOA influenced editors to avoid subject of human rights report brought generally negative reaction. Check with leading newspaper "La Nacion" brought response that GOA had not rpt not issued any guidance on subject; editors let it alone in form of self-censorship. Jacobo Timmerman, the owner/editor of the liberal and outspoken "La Opinion", told us that no guidance had been received but that self-censorship had obviously been called for. A wire-service source told Emboff that he knew of no formal guidance from GOA on subject, but that editors knew what attitude should be adopted.

5. COMMENT: We are puzzled over absence of GOA, press or private reaction to report on human rights in Argentina. Even the most pro-GOA papers, which might have editorialized that relative moderation of findings and recommendation against sanctions are evidence that Argentina's bad image on human rights is undeserved, have said nothing. GOA critics who might be expected to welcome the report have said virtually nothing. In explanation, we first cite the timing of the

report. It was released at the beginning of Argentina's summer holidays, when the capital is all but closed down. Both government and media decision-makers were out of the city or intent on vacation plans. The GOA had evidently determined it would not react to the report if it could be avoided. The media were admittedly exercising self-censorship. The lack of private reaction can be attributed to lack of press and GOA emphasis on the report in addition to preoccupation with vacation.

~~X~~
HILL

DEPARTMENT OF STATE

TELEGRAM

CONTROL: 0578

25 JAN 77

1117

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

NA

PINT SHUM AR

Human Rights Cases Juan Mendez, Luis Iturriaga Casali, Claudia Peiro

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0578

REF: (a) State 014741, (b) State 014030

1. Juan Mendez: Six Argentines, including Juan Ernesto Mendez, have been authorized to leave the country, according to Interior Ministry report published Jan 21 (reftel A): Mendez will be permitted to leave for France. His father wants to facilitate a visa for Mendez ^{on} to go ~~to~~ to the US, which Embassy has explained can take up to 20 months for a regular immigrant visa. Mendez has not yet made formal application for US immigrant visa. The decree states that the six had all been charged before March 24 when the right of option to leave Argentina was still legal under Article 23 of the Constitution. The option was suspended by the military govt March 24.

2. Luis Iturriaga Casali: According to Consoff, who interviewed Iturriaga Casali last week for parole program, Iturriaga Casali was picked up in September by police because he had no residence

Pp 1+2

109-812 -119

DRAFTED BY:

POL:YThayer:jr

DRAFTING DATE

1/24/77

TEL. EXT.

121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

CONS:Whitchcock (in substance)

POL:RSSSteven

DCM:McChaplin

AMB:RChill

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CLASSIFICATION

OPTIONAL FORM 152-H
(Formerly FS-413(H))
January 1975
Dept. of State

papers, then turned over to border police as an illegal alien. He was ordered to leave Argentina and then released. He immediately went to the UNHCR and was brought with his family to Buenos Aires to seek resettlement abroad. He said he was not mistreated by Argentine authorities. His appearance as parole candidate in January was first indication ^{to Embassy} that he had been freed after September arrest.

3. Claudia Ines Peiro: Embassy pleased to hear Miss Peiro has been located and visited by family (reftel B). The information underscores our own doubts about the efficacy of FornMinistry's human rights working group in obtaining information on US interest cases. Discrepancy in Argentine Embassy and FornMinistry's information is not new; same occurred in Missetich case. Embassy will also make point to working group here. The time lag and regulations for US immigrant visas practically exclude US as potential destination for Argentine citizens seeking authorization to leave Argentina, as in Mendez case above.

HILL



DEPARTMENT OF STATE TELEGRAM

CONTROL: 0698
28 JAN 77
1705

INDICATE
☐ COLLECT
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

NA

SHUM AR

Status of Argentine Nationals Mauricio Lopez, Julio Yañez,
Zulma Zingaretti, Alba Garofalo

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0698

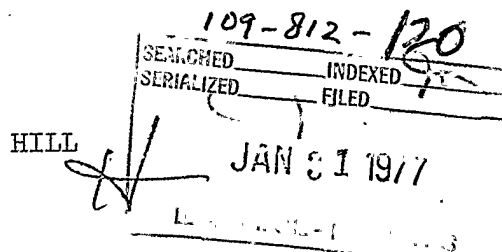
Refs: (a) State 014740, (b) State 017421, (c) State 014742,

(d) State ~~XXXXXX~~ 309246

1. Embassy has no new information on Argentine nationals Mauricio Lopez, Julio Yañez or Zulma Zingaretti. Methodist church source told Emboff Jan 27 that nothing new has been learned about whereabouts of Prof. Lopez despite church efforts and the considerable concern expressed by international ~~ecumenical~~ ecumenical groups.

2. Pastor Manüel Garofalo appealed to Embassy Jan. 27 to help locate his daughter Alba Garofalo. He provided full identification which Embassy passed on to human rights working group today (Jan 28).

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CHRON



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POL:YThayer:jr

DRAFTING DATE

1/28/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

POL:RSSSteven

DCM:MChaplin

AMB:RChill

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CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975

CONTROL: 1250X 6613

~~25 JAN 77 1202~~

26 JAN 77 1202

DEPARTMENT OF STATE
TELEGRAM

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

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PINS PINT SHUM AR

Argentines Question GOA Accounts of Terrorist Confrontations and Release Lists

SECSTATE WASHDC

0613

~~CONFIDENTIAL~~ BUENOS AIRES ~~0613X~~

REF: Buenos Aires 0162

AMB
DCM
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POL/R
ECOM
USIS
USDAO
MILGP2
SCIAT
LEGAT
RF
CHRON

1. A number of independent sources have separately told Emboffs that deaths of Peronist leader Dardo Cabo and Roberto Perliz in terrorist ambush on Jan 6 were engineered by security forces. Embassy press officer received letter signed "families of political prisoners" refuting the military communique on the ambush, pointing out that the two prisoners who were allegedly being transferred were taken out at 1 a.m. and were not allowed to take their clothes and belongings as is customary with normal transfers; that the prison they were reportedly headed for was a detention center for women and that the alleged ambush took place on a road 30 kilometers off the route connecting the two prisons. Father of another prisoner who was housed with Dardo Cabo in La Plata prison told Labatt that he learned from his son that all of the State of Siege detainees in La Plata have been beaten and

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POL:YThayer:yr

DRAFTING DATE

1/25/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith *WSS*

CLEARANCES:

POL:RSSSteven
POL/R:DSmock *DS*

DCM:MChaplin *mc*
AMB:RChill *RC*

~~CONFIDENTIAL~~
CLASSIFICATION

threatened with death and that when Dardo Cabo left he was taken suddenly in the night and not allowed to bring his belongings with him. A member of the Permanent Assembly for Human Rights told Poloff that Dardo Cabo was suddenly transferred to a solitary cell some days before the alleged transfer at which time he confided to other prisoners that he expected to be killed. These reports coincide with information provided by SRF sources, that Dardo Cabo's death was planned by security forces. Particularly significant is the fact that Argentines are questioning the veracity of military communiques on terrorist confrontations and bringing their information to the attention of Embassies. Similar impressions are also circulating with Embassy contacts in the local press, diplomatic community, political and labor circles, etc.

2. Embassy sources have also consistently reported that persons named on lists as being released from Executive disposition are not reappearing, either as transferred to the regular criminal court system or freed from detention altogether. Permanent Assembly for Human Rights official told Emboff Jan 21 that Assembly has file of nearly 2,000 names of detained or disappeared persons and that few of them figured in the several lists published by the Interior Ministry since December. Some of the names listed were of persons who were abducted from their homes by unidentified armed persons, he said, and the appearance of the name on the list was the first

indication the family had that the person was in custody of the Executive. However, official sources have not provided any information about the

person listed has returned home and go back to work with his

Official family and he mentioned several specific cases where families

have still received no official confirmation or news about the whose names appeared on the lists.

whereabouts of their relatives/ Official pointed out that it is

possible that once released, the person may prefer to keep his

whereabouts unknown or may try to leave the country and there-

fore it is impossible to make accurate estimates on the actual

situation of most of those whose names appeared on the lists.

However, as he and others have made clear, the publishing of the

lists has not clarified either the status or whereabouts of

many of the persons on the lists nor has it answered the questions

surrounding many others who disappeared during 1975 and 1976.

[It should also be noted that the local press, including the RAH Herald which has been particularly insistent that the government publish lists of detainees, has made no comment on the publication of the lists.]

3. "La Opinion" raised the question in print on Jan 22, noting that since persons listed as being released from Executive disposition have not, in many cases, been discharged from prison, it is important that GOA provide more detailed information on each case, particularly if the person has been remanded to the judicial system. As an example, it mentioned the case of Patricia Borenztein whose name first appeared on a list of

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persons released by the Executive in December, then reappeared on another list of persons detained by the Executive in early January. The ~~xxx~~ paper questioned whether in the interim the woman had been turned over to the criminal courts, freed or left in jail and asked why the Executive would release her one week and rearrest her the next.^{4.} The questions posed by "La Opinion" are circulating widely here. At next opportunity Embassy will ask senior govt officials for clarification on precise meaning ~~and significance~~ of lists.

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Classification

OPTIONAL FORM 10-2 (11)
(Formerly FS-413/11a)
January 1975
Dept. of State

DEPARTMENT OF STATE TELEGRAM

CONTROL: 0865

02 FEB 77

1707

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~SECRET~~

E.O. 11652:

TAGS:

SUBJECT:

GDS

PINS PFOR SHUM AR CI UN

UNHCR Buenos Aires denies Chilean Communists traveled to Argentina

ACTION:

~~SECRET~~ WASHDC

AMEMBASSY SANTIAGO

INFO

SECSTATE WASHDC

USMISSION GENEVA

~~SECRET~~ BUENOS AIRES 0865

REF: (a) Santiago 10879, (b) Santiago 834

AMB
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USDAO
MILGP2
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UNRON

UNHCR rep in Buenos Aires told Emboff: Jan 31 that none of the Communist leaders listed in para 5 of reftel A has traveled to Argentina. He was aware of the Chilean version of the departure of three of them on the dates mentioned in reftel B, but denied that any of them ever arrived in Argentina. Rep added that Bernardo Araya, age 65, and his wife Maria Olga Flores, age 63, were kidnapped with their grandchildren, ages 15 and 9, and that the grandchildren who were later released were so traumatized by the treatment of their grandparents that they are seeking asylum outside Chile. He added that the grandparents never reappeared. Embassy has no other independent information with which to evaluate or confirm that provided by UNHCR rep.

DRAFTED BY:

POL:YThayer:jr

DRAFTING DATE

2/2/77

TEL. EXT.

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SERIALIZED AND FILED

APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

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FEB 3 1977
AMB:RCHill

DCM:MChadlin
LEGAL ATTACHE BUENOS AIRES

Rux

DEPARTMENT OF STATE

TELEGRAM

CONTROL: 0867

02 FEB 77

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~SECRET~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

INFO:

GDS

SHUM AR UY

Margarita Michelini reportedly in Uruguayan police custody

SECSTATE WASHDC

AMEMBASSY MONTEVIDEO

~~SECRET~~ BUENOS AIRES 0867

Ref: Montevideo 4161

UNHCR rep confirmed that Margarita Michelini, daughter of slain Uruguayan senator Michelini, is in police custody in Montevideo and that her mother has visited her in jail. Rep told Emboff that intense family and UN pressure forced GOU to acknowledge having her in detention. SRF sources (reftel) reported that Miss Michelini was among 22 Uruguayans clandestinely arrested in Buenos Aires in July and returned to Uruguay. The report said eventually GOU would admit to having her in detention and that she would be released. Can Montevideo confirm Rep's information and status of Michelini case?

HILL

109-812-123

DRAFTED BY:

POL:YThayer,jr

DRAFTING DATE

2/2/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

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SERIALIZED FILED
POLCOUNS:WSSmith

CLEARANCES:

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FEB 3 1977
DCM:MChaplin
Amb:RCHill
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DEPARTMENT OF STATE TELEGRAM

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FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

INFO:

REF:

GDS
SHUM, SREF, PORQ, AR
Refugee Situation in Argentina

SecState WASHDC

USMission GENEVA
AmEmbassy OTTAWA
~~CONFIDENTIAL~~ BUENOS AIRES 0828

State 019307, Geneva 0501

AMB
POL-3
POL/R
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USIS
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LEGAT
SCIAT
RF
CHRON
CONS

1. Embassy understands from local UNHCR representative that refugee situation has improved somewhat since the problems of last June-September. There have been no reported incidents of serious mistreatment of refugees under UNHCR mandate for at least three months now, although a number have been picked up for up to 24 hours for identification checks, some homes have been searched, etc. GOA-UNHCR relations have improved in recent months, with GOA now at least tacitly acknowledging the UNHCR role to protect and resettle refugees. (Argentina does not officially recognize as refugees persons from the South American hemisphere, having signed the UNHCR convention with a geographical reservation to that effect.) UNHCR has encouraged refugees to register with Argentine immigration

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POL:YThayer mg

DRAFTING DATE

2/1/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

POL:WSSmith

CLEARANCES:

CONS:DCasteel (in draft)

AMB:RCHill

DCM:MChaplin

~~CONFIDENTIAL~~

CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975
Dept. of State

6825

authorities, as required by a September decree. Since Argentina does not recognize Latin Americans as refugees, they are registered as being "in transit" awaiting resettlement in a third country. (Of the small number who were previously registered as asylees, many have had their permanent asylee status revoked and have been reclassified as "transit asylees," also awaiting resettlement abroad.) These classifications do not permit the exile to work legally in Argentina.

2. UNHCR rep reported January 31 that of the original 14,000 or so refugees wanting resettlement outside Argentina, approximately 9,000 remain. 1,000 of them are still considered urgent cases, but 80 per cent of these have already initiated applications with foreign Embassies for resettlement abroad. (Embassy's experience with U. S. parole program shows that few of the "priority" cases referred to us actually believe themselves to be in immediate danger here in Argentina; most are seeking resettlement out of fear or uncertainty of returning to Chile and/or the difficulty of establishing themselves in Argentina. Most are very humble and poorly educated and a significant number have been rejected by other recipient countries, including Canada. The UNHCR has told us that many of the most serious cases, particularly Uruguayans, are not referred to us because they are believed to be ineligible for the U. S. program.)

3. The minorities subcommittee resolution of August 30 came

~~CONFIDENTIAL~~
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right at the height of international concern over the refugee situation in Argentina, following the deaths of prominent exiles in June, the unresolved theft of refugee documents and kidnapping and beating of refugees in July and August. At this time the immediate threat to the refugee community appears to have abated and resettlement effort is progressing steadily. Nevertheless, the political situation in Argentina remains tense and severe internal security measures plus recurring extremist violence continue to cause disquiet within the refugee community. UNHCR rep told Emboff very confidentially on January 31 that GOA has put tremendous pressure on UN-Geneva and foreign delegations to the UN Human Rights Commission not to lean on Argentina on the refugee issue. He said there is some concern that GOA "has decided not to take any more criticism on the refugee question" and that its attitude toward UNHCR and the refugee community may harden considerably if it feels attacked on the issue at the UN meeting.


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~~CONFIDENTIAL~~
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3 Feb 77
1230

DEPARTMENT OF STATE TELEGRAM

INDICATE
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~SECRET~~

E.O. 11652:

TAGS:

SUBJECT:

GDS

PTOR SHUM MASS AR US

US-ARGENTINE RELATIONS

ACTION:

SECSTATE WASHDC

~~SECRET~~ BUENOS AIRES 0261

REF: STATE 023271

AMB
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SCIAT
LEGAT
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1. Ambassador Aja Espil did indeed return to Buenos Aires over weekend--apparently arriving here Jan 31. After conferring with President and FonMinister he departed for Rio this morning (Feb 3), planning to return to Buenos Aires Feb 13 and then fly back to Washington Feb 15-16. I invited him to lunch and to breakfast but he pleaded extremely heavy schedule and suggested we get together on Feb 13 or 14 after his return from Rio.
2. Long-time Embassy contact was called into meeting between Fon Minister and Aja Espil on question of human rights and impact on US-Argentine relations. Aja Espil urged source to come to Washington to appear before Fraser's subcommittee. Source said there no point in doing so unless GOA had meanwhile given evidence of improvement in human rights situation. It was, he said, of utmost importance that GOA issue list of those detained and bring

DRAFTED BY:

POLCOUNS:WSSmith *WSS*

DRAFTING DATE

2/3/77

TEL. EXT.

121

109-812-125
CONTENTS AND CLASSIFICATION APPROVED BY:

AMB:RChill *✓*

CLEARANCES:

DCM:MChaplin

to trial at least some of those responsible for excesses.

Source tells us Ambassador Aja Espil supported him in this, emphasizing to FonMinister Guzzetti seriousness with which USG viewed the situation and possibility of confrontation unless at least the two steps suggested by source were taken.

3. Source reported to Emboff however that Guzzetti had stated flatly that both measures were out of the question. Full list of those detained could not be issued, he said, because "that would give aid and comfort to the terrorists." Some of those guilty ^{of} ~~for~~ excesses are being brought to trial, Guzzetti contended, but public trials could not be considered since that would contribute to demoralization of the security forces and divisions within the government.

4. Source said he left meeting with impression that (1) Ambassador Aja Espil had conveyed to Guzzetti strong probability of confrontation with USG unless meaningful rectification on part of GOA were forthcoming on human rights situation, and (2) that Guzzetti's reaction was that GOA could not rpt not do what USG desired even if result was confrontation between two governments.

5. I have asked for audience with FonMinister Guzzetti early next week to again ~~emph~~ emphasize seriousness of situation to him. XX

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109-812-15
IMMEDIATE ACTION

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| ADM | | ADM | |
| USIS | | USIS | |
| OCI | | OCI | |
| BY | | BY | |

~~LIMITED OFFICIAL USE~~ STATE 026390

E.O. 11652: N/A

TAGS: PFOR, SHUM, AR

SUBJECT: JACK ANDERSON STORY ON ARGENTINA

FOLLOWING ARE Q'S AND A'S TO BE USED ON "IF ASKED" BASIS FOR POSSIBLE INQUIRES OVER WEEKEND.

Q. DOES THE STATE DEPARTMENT HAVE ANY REACTION TO THE ANDERSON STORY ON ARGENTINA?

A. MR. ANDERSON'S OFFICE QUERIED US EARLIER ON THIS. WE INFORMED HIS ASSOCIATE, LES WHITTEN, THAT WHILE THERE HAVE BEEN REPORTS OF EXECUTION OF PRISONERS IN ARGENTINA, WE DO NOT HAVE THE KIND OF FIRST-HAND INFORMATION WHICH WOULD ALLOW US TO CONFIRM THESE REPORTS. WE ALSO INDICATED THAT NO SUBJECT HAS BEEN RAISED MORE FREQUENTLY IN OUR DIPLOMATIC CONTACTS WITH THE ARGENTINES DURING THE LAST SIX MONTHS THAN HUMAN RIGHTS, INCLUDING THE TREATMENT OF AMERICAN AND ARGENTINE PRISONERS. THIS SUBJECT HAS BEEN RAISED AT VERY HIGH LEVELS IN WASHINGTON AND BUENOS AIRES.

Q. WELL, HAVE WE DONE ANYTHING SPECIFIC WITH THE ARGENTINES REGARDING THIS STORY?

109-812

A. MR. ANDERSON'S OFFICE HAS PROVIDED US WITH A LIST OF ALLEGED PRISONERS IN DANGER. WE HAVE BROUGHT THIS MATTER TO THE ATTENTION OF THE ARGENTINE EMBASSY, AT THE SAME TIME EXPRESSING CONCERN ABOUT THE WELFARE OF THOSE LISTED. THE ARGENTINE EMBASSY IS LOOKING INTO THIS MATTER.

VANCE

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CONTROL 0992
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FROM

AmEmbassy BUENOS AIRES

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E.O. 11652:

N/A

TAGS:

PFOR, SHUM, AR

SUBJECT:

Jack Anderson Story on Argentina

ACTION:

SecState WASHDC IMMEDIATE

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0991

REF:

State 026390

AMB
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POL-3
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USDAO
MILGP-2
LEGAT
SCIAT
RF
CHRON

Embassy understands Anderson story stated information provided by "high-ranking intelligence sources and a source in the U. S. Embassy." Embassy would much appreciate receiving telegraphically text of Anderson story as soon as possible. Based on my judgment of staff B. A. we assure you that no one in Embassy B. A. has cooperated in this serious charge.

HILL

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DRAFTED BY:

POL:WSSmith:mg

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DRAFTING DATE

2/7/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

AMBASSADOR ROBERT C. HILL

CLEARANCES:

A/DCM: JCamott

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OPTIONAL FORM 152-11
(Formerly FS-410-11)
JAN 1975

DEPARTMENT OF STATE TELEGRAM

CONTROL: 1125
10 FEB 77
1834

INDICATE
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FROM
AMEMBASSY BUENOS AIRES

CLASSIFICATION
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E.O. 11652:
TAGS:
SUBJECT:

NA
RFOR SHUM AR
GOA protests Dutch, Austrian charge of human rights violations

ACTION:
INFO:

SECSTATE WASHDC
AMEMBASSY THE HAGUE
AMEMBASSY VIENNA

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1125

Ref: Buenos Aires 1094

1. According to press reports here, the Argentine govt has instructed its ambassadors in Holland and Austria to formally protest the action taken by the heads of state of the two countries in asking the UN to examine alleged human rights violations in Argentina. Dutch Prime Minister Anquer Jop den Wil and Austrian Prime Minister Bruno Kreiski were among 14 prominent European and Canadian political leaders who made the request in a telegram to UN Secretary General Waldheim on Feb 7 (reftel). The GOA reportedly expressed its displeasure with the action taken by the "heads of friendly states who are aware of the situation and of the Argentine government's efforts at national reorganization as well as its firm observance of human rights" and noted that such action could "harm the cordial relations and other issues of

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PREPARED BY:
POL:YThayer: jr

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POLCOUNS:WSSmith

RANGES:

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A/COM:JCAmott

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DEPARTMENT OF STATE TELEGRAM

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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

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E.O. 11652:

TAGS:

SUBJECT:

NA

SHUM P INS AR

Human Rights Round-Up No. 10

ACTION:

SECSTATE WASHDC

~~NA~~ ~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1C94
 AMB
 DCM
 POL/3
 POL/R
 ECOM
 USIS
 USDAO
 MILGP2
 SOCIAT
 LEGAT
 RE
 CIRON

1. A telegram from 12 foreign political leaders to UN Secretary General requesting a UN human rights commission study into alleged human rights violations in Argentina was cautiously reported in the local press Feb 8. La Opinion, while firmly rejecting the right of foreign governments and international groups to pressure Argentina on its internal affairs, nevertheless remarked that the repetition of such accusations makes it imperative that GOA redouble its efforts to ascertain that none of its actions contribute to the international campaigns to defame the country's image. The paper called on the Argentine govt to demand, through its embassies abroad, an explanation of the charges from those who signed the telegram and to take firm action in defending the country's position when attacked in international fora. GOA has made no statement regarding the telegram or the accusations so far.

2. The Supreme Court has ordered the Executive Branch to answer

DRAFTED BY:

POL:YThay jr

DRAFTING DATE

2/9/77

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POLCOUNS: WBSmith INDEXED
ALIZED FINED

CLEARANCES:

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AMB:RCH111

A/DCM: JCAmott

LEGAL ATTACHE - BUENOS AIRES

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 CLASSIFICATION

 OPTIONAL FORM 100-10
 (Rev. 10-21-70)
 July 1972

state of siege detainee Mirta Christina Atencia's request to leave the country ^{be} or set ~~her~~ free within 20 days. In the ruling, the Supreme Court declared that laws passed by the present military government in November temporarily suspending the constitutional right of option to leave the country could not be applied retroactively, nor could the Executive Branch assume judicial powers or intervene to change the outcome of cases under judicial review as stipulated in Article 95 of the Constitution. Atencia was arrested in November 1975 and appealed for her right to leave the country in January 1976. (The military Junta originally suspended the constitutional right in March and later extended it formally for 180 days in two decree laws published on November 2, 1976. The Supreme Court now holds that petitions pending before the law went into effect are not subject to the suspension decree-law.) The decision once again throws into confusion the whole question of the constitutional right of option. On November 16, 1976 the Supreme Court rejected an appeal by Maria Cristina Ercoli to exercise her option to leave, ruling that the suspension law was valid and upholding the govt's right to prevent persons from opting to leave the country who might eventually return clandestinely. Since Ercoli's original petition was approved by a lower court before the Nov 2 law went into effect, it would appear that the latest decision countermands the first and would make her eligible to opt to leave the country.

~~LIMITED OFFICIAL USE~~

Classification

OPTIONAL FORM 15
(Formerly FS-41)

3. La Opinion (Jan 8) pointed out the discrepancy and recommended that the Supreme Court fully review the whole matter once again in light of its "new perspective" and its latest decision to review cases pending before the November suspension law.

4. GOA banned all activities and publications of the Divine Light Mission and Hare Krishna sect in mid-January. The decree stated that freedom of religion as guaranteed by the national constitution is limited in that religious ideas must not go against national security, moral standards and public and social order. The BA Herald (Jan 27) called the ban "unfortunate and disturbing" and noted that the decree did not show how either group had acted contrary to Argentine law, morals or national security. Authorities subsequently arrested five Hare Krishna followers in Buenos Aires and 29 persons of the Divine Light Mission in Mendoza. It is not known whether they were subsequently released.

5. A special court martial in Parana sentenced 42 Montoneros to prison terms ranging from three to 24 years and acquitted seven other persons. In its first subversive case since 1973, a Santa Fe federal court sentenced three persons to 3 years for possession of arms and subversive materials and one to 3 years for painting subversive slogans on walls. The first three were arrested in April 1975. The court also acquitted and released three persons for lack of evidence.

~~LIMITED OFFICIAL USE~~
Classification

OPTIONAL FORM 1
(Formerly FS 4)

6. 116 extremists were reported killed by security forces in the month of January, most of them allegedly in "raids" and in "confrontations at roadblocks," identification checks or "while painting subversive slogans on walls" (the last being the most unlikely of all). Among the terrorists killed since January 1, two have been identified as having participated in the murder of US consular agent John Egan in 1974. They were Montoneros Jorge Luis Piotti killed in Santa Fe Jan 22 and Jorge Victor Biel on Feb 6. During the same period seven policemen and five civilian bystanders were killed, and 15 persons were injured by ~~extremist~~ extremist actions in a number of separate incidents. The most serious attack was the bombing of a police station in Ciudadela, BA Province on Jan 28 in which three policemen died and ten persons were injured. The suspect, a sociology student, is still at large. In the days immediately after the bombing, bodies turned up all over Ciudadela (a total of 14) allegedly having been killed in confrontations with police. Many observers are convinced, however, that the bodies were those of prisoners killed in retaliation for the bombing.

7. On Jan 24 a terrorist threw a grenade in the Constitution train station in downtown Buenos Aires while attempting to flee police, killing a woman and injuring three persons. The extremist was later arrested. Elsewhere a number of private homes and factories were bombed, including that of the mayor of San Isidro (whose daughter was injured in the blast) on

Jan 21, and of a Kaiser Corp. ~~for~~ department chief in La Plata on Feb 7. The light and power company SEGBA, which is having labor conflicts with the govt, has had several bombings in its offices and plants in recent weeks.

8. The Argentine Actors Association sent telegrams on Feb 1 to a number of government officials requesting an investigation into the continuing disappearance of four of its members: Polo Cortez, Silvia Shelby, Ruben Bravo and Gregorio Nachman.

9. The Interior Ministry continues releasing weekly lists of persons who have been released by the Executive and others who were detained under Executive decree. The Jan 21 list included the names of six Argentines whose requests to leave the country (submitted before the March 24 takeover) were approved by GOA. It is not known whether any of the six has since departed Argentina nor how many others have actually been released from govt custody. Other foreign diplomats in Argentina have told Embassies that they are aware of some but not many persons who have actually been freed once their names appeared on the lists. None of the US interest cases have appeared on the recent lists which Embassy has pouched to ARA/ECA.


HILL

~~LIMITED OFFICIAL USE~~

Classification

OPTIONAL FORM 10

SECRET

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

GDS

PFOR, PINS, SHUM, AR

LA PLATA PRISONERS ON ANDERSON "DEATH LIST";

2 DIE IN ALLEGED TRANSFER ALTERCATION

SECSTATE WASHDC

AMB

DCM

POL 3

POL/R

ICOM

USIS

USDAO

MILGP 2

SCIAT

LEGAT

IF

CHRON

~~CONFIDENTIAL~~ BUENOS AIRES: 1328

REF: A. STATE 027041 B. BUENOS AIRES 0613 C. BUENOS AIRES 7290

1. SUMMARY: CONCERNING LIST OF 41 PERSONS NAMED IN JACK

ANDERSON'S COLUMN AS PRISONERS IN DANGER OF DEATH (REF. A),

EMBASSY SOURCES REPORT THAT TWO WERE KILLED FEBRUARY 4, ^{ALLEGEDLY} IN AN

ALTERCATION WHILE BEING TRANSFERRED FROM LA PLATA PRISON.

SOURCES ALSO IDENTIFIED AT LEAST NINE PERSONS NAMED ON

ANDERSON LIST AS INMATES IN UNIT 9 OF LA PLATA PRISON,

INCLUDING TWO KILLED FEBRUARY 4.

2. EMBASSY HAS LEARNED THAT TWO OF THE 41 PERSONS LISTED BY

JACK ANDERSON AS BEING IN DANGER OF DEATH (REF. A) HAVE DIED,

ALLEGEDLY IN ALTERCATIONS WITH SECURITY OFFICIALS WHILE BEING

TRANSFERRED FROM LA PLATA PRISON. THE TWO--HORACIO (JOSE)

RAPPAPORT AND ANGEL GEORGIADIS (BELIEVED TO BE MISSPELLED IN

LIST AS ANGEL GERCULEZ)--WERE, LIKE DARDO CABO AND PERLIS

DRAFTED BY:

POL:YThayer:eg *WSS*

DRAFTING DATE

2/16/77

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- 121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith *WSS*

CLEARANCES:

POL/R:DSmock *WSS*

109-812-130
CHARGE:MChaplin

~~CONFIDENTIAL~~

CLASSIFICATION

OPTIONAL FORM 100-10
(Formerly FS-410, 100-10)
January 1976
Dept. of State

BEFORE THEM, PRISONERS IN UNIT 9 OF LA PLATA PRISON. EMBASSY
WERE
LEARNED THAT THE FAMILIES OF THE TWO MEN ~~WERE~~ SEPARATELY
INFORMED BY TELEGRAM ON FEBRUARY 9 THAT THEIR SONS HAD DIED IN
AN ACT OF "AUTOAGGRESSION" (UNDERSTOOD BY US AS EITHER SUICIDE
OR UNSUCCESSFUL ATTEMPT UPON SECURITY AUTHORITIES) WHILE BEING
TRANSFERRED FROM UNIT 9 OF LA PLATA ON FEBRUARY 4. THE
FAMILY OF ANGEL GEORGIADIS RECEIVED JUDICIAL ORDER FOR AN
AUTOPSY BUT THE BODY HAS NOT BEEN RELEASED BY PRISON AUTHORITIES,
ACCORDING TO EMBASSY SOURCE.

3. IN MID JANUARY FATHER OF HORACIO CREA, ANOTHER PERSON ON
ANDERSON LIST WHO IS IN UNIT 9, TOLD EMBOFFS THAT HIS SON AND
TWO OTHER PRISONERS THERE--JULIO CESAR URIEN AND GEORGIADIS--
HAD BEEN TAKEN BY PRISON GUARDS, HOODED, BEATEN AND THREATENED
WITH DEATH IF THEY CAUSED DISTURBANCES WITHIN THE PRISON WING.
ON FEBRUARY 3 THE PRESS REPORTED THAT JUAN CARLOS URIEN HAD
BEEN SENTENCED TO 9 YEARS FOR SUBVERSIVE ACTIVITIES AND
POSSESSION OF WEAPONS AND SUBVERSIVE LITERATURE, AND HAD BEEN
TRANSFERRED TO SIERRA CHICA PRISON. URIEN HAD BEEN A NAVAL
MIDSHIPMAN AND HIS FATHER WAS A JUDGE. SOURCE TOLD EMBOFF
THAT URIEN WAS ALSO DIRECTLY RELATED TO GEN. HARGUINDEGUY WHO
INTERVENED TO HAVE URIEN TRIED AND TRANSFERRED TO SIERRA CHICA
INSTEAD OF BEING ELIMINATED. NOTHING WAS LEARNED OF GEORGIADIS
UNTIL
XX. ~~XXXX~~ THE REPORT OF HIS DEATH FEBRUARY 9.

4. EMBASSY SOURCES HAVE TOLD EMBOFFS THAT MANY, IF NOT MOST, OF THE 41 PERSONS LISTED IN ANDERSON'S COLUMN AS "MARKED FOR DEATH" ARE PRISONERS IN WINGS ONE AND TWO OF UNIT 9 OF LA PLATA PRISON. SOURCE TOLD EMBOFF THAT A LIST OF NAMES OF PRISONERS IN THE FIRST WING HAD BEEN SMUGGLED OUT AND CIRCULATED TO CONCERNED GROUPS IN THE U.S. AND EUROPE FOLLOWING THE JANUARY 6 STAGED AMBUSH IN WHICH DARDO CABO AND PERLIS WERE KILLED (REF.B). SEPARATE SOURCES HAVE INDIVIDUALLY IDENTIFIED NINE OF THE PERSONS ON THE LIST AS BEING INMATES OF UNIT 9 AND SAY IT IS POSSIBLE THAT OTHERS ARE THERE AS WELL. THE NINE ARE: ERNESTO VILLANUEVA, JORGE TAIANA, EDUARDO JOZAMI, RODOLFO GUTIERREZ, EDUARDO ARANOVICH (WHOSE NAME APPEARS TWICE ON THE LIST, ONCE AS EDGARDO ARANOVICH), JUAN VILLANUEVA, HORACIO CREA, ANGEL GEORGIADIS (GERCULEZ), AND HORACIO (JOSE) RAPPAPORT. RAPPAPORT AND GEORGIADIS ARE DEAD. THE WIFE OF EDUARDO JOZAMI WROTE EMBASSY JANUARY 15 REFUTING THE OFFICIAL VERSION OF DARDO CABO'S JANUARY 6 DEATH IN AN AMBUSH AND ASKING FOR EMBASSY ASSISTANCE ON BEHALF OF HER HUSBAND, WHO IS ALSO IN UNIT 9. THE MOTHER OF ERNESTO VILLANUEVA WROTE THE EMBASSY RECENTLY DESCRIBING THE MISTREATMENT AND FEAR IN UNIT 9 WHERE HER SON IS BEING HELD. AND EMBASSY HAS RECEIVED NUMEROUS LETTERS FROM FAMILIES OF OTHER PRISONERS IN UNIT 9 EXPRESSING FEAR FOR SAFETY OF THOSE HELD THERE.

5. THE FAMILY OF JUAN MENDEZ WHO VISITED HIM IN WING ONE OF
IDENTITY
UNIT 9 ON FEBRUARY 10 CONFIRMED THE ~~IDENTITY~~ OF A NUMBER OF
HIS PRISON MATES AND THE TERROR THAT REIGNS IN THE WING (SEE
SEPTTEL). THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS AND OTHER
EMBASSY SOURCES HAVE ALSO CONFIRMED THE SITUATION IN WINGS
ONE AND TWO WHICH ARE NOW KNOWN AS THE "WAITING ROOMS OF
DEATH". ONE SOURCE SAID THAT WING ONE IS RESERVED FOR
ALLEGED MONTONEROS AND WING TWO FOR ALLEGED ERP MILITANTS
MARKED FOR ELIMINATION.

6. THE INTERNATIONAL RED CROSS HAS APPARENTLY VISITED LA
PLATA TWICE. AFTER AN UNSUCCESSFUL FIRST VISIT, IT WAS
GRANTED GREATER ACCESS TO PRISONERS IN WING ONE ON A SECOND
VISIT IN EARLY FEBRUARY, ACCORDING TO THE MENDEZ FAMILY.
EMBASSY DOES NOT KNOW WHETHER ANY PRISONERS HAVE BEEN REMOVED
FROM WINGS ONE AND TWO FOLLOWING THE IRC VISIT.

7. DOMINGO MENA WAS A TOP ERP LEADER FIRST REPORTEDLY
KILLED ALONG WITH ERP LEADER MARIO SANTUCHO IN JULY. IT WAS
LATER LEARNED (BUT NEVER ACKNOWLEDGED BY OFFICIAL SOURCES)
THAT MENA HAD ACTUALLY BEEN TAKEN PRISONER ~~WHICH WAS REPORTED~~ AND
WAS BEING HELD IN CAMPO DE MAYO (REF. C). EMBASSY HAS NO
NEW INFORMATION ON HIS PRESENT WHEREABOUTS.

8. PER PARAGRAPH 3 IN REF. A; AS EMBASSY HAS REPORTED IN
THE PAST, THE FACT THAT NAMES APPEAR ON LISTS OF PERSONS

REMOVED BY THE EXECUTIVE FROM DETENTION UNDER STATE OF ~~STIEGE~~
PROVISIONS DOES NOT ~~NECESSARILY~~ MEAN THE PERSON HAS ACTUALLY
BEEN RELEASED FROM CUSTODY. JUAN VILLANUEVA'S NAME WAS ON
DECEMBER 23 LIST OF RELEASEES AND YET SOURCES SAY THAT HE IS
BEING HELD IN UNIT 9 OF LA PLATA. EMBASSY IS NOT AWARE OF
WHEREABOUTS OF TWO OTHERS MENTIONED IN PARAGRAPH 3.

9. IT APPEARS LIKELY THAT THE ANDERSON LIST WAS DEVELOPED
FROM THE LIST OF UNIT 9 INMATES WHICH IS APPARENTLY CIRCULATING
ELSEWHERE IN THE U.S. AND EUROPE. THE/ ~~AMBASSADOR~~ AND ~~OTHER~~ OTHER
EMBOFFS HAVE DIRECTLY CONFRONTED TOP GOA OFFICIALS ON THE
QUESTION OF ELIMINATION OF PRISONERS BUT HAVE RECEIVED
NONCOMMITTAL REPLIES. WHERE POSSIBLE, EMBASSY HAS REITERATED
U.S. INTEREST IN SPECIFIC CASES--JUAN MENDEZ AND HORACIO CREA--
AND IS MAKING ITS CONCERN KNOWN THROUGH MILITARY AS WELL AS
EXECUTIVE BRANCH CHANNELS.

CHAPLIN
Mc

DEPARTMENT OF STATE

TELEGRAM

CONTINUED 1361

18 FEB 77

1335

INDICATE

☐ COLLECT☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

NA

SHUM, PINS, AR

Human Rights Round-up No. 11

ACTION:

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1361

REF: (a) Buenos Aires 1094, (b) Buenos Aires 7458, (c) Buenos Aires 1296

1. Constitutional Option to Leave Argentina: The Executive has decreed the formation of a commission to consider whether internal security conditions permit the reinstatement of the constitutional right for persons detained under state of siege provisions to opt to leave the country. The right was suspended by the military first in March 1976 and again on Nov 2, 1976 for another 180 days. The commission will be chaired by the Minister of the Interior and will include as members a high ranking representative from each of the three Armed Forces, the Justice Ministry and the State Intelligence Service. The commission is to report its findings before March 15. (Embassy comment: The creation of the commission is seen as GOA's response to last week's court decision that the suspension of the constitutional right of option cannot be applied retroactively, i.e. before published as law

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USEAO
MILGP2
SCIAT
LEGAT
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CHRON

RCO
AA MIN

DRAFTED BY:

POL: YThayer:jr

DRAFTING DATE

2/18/77

TEL. EXT.

121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS: WSSmith

CLEARANCES:

RSO: RKelley (in substance)
USIS: MO'Brien (in substance)

SEARCHED

Change: MChaplin

INDEXED

FEB 18 1977

LEGAL ATTACHE - BUENOS AIRES

~~LIMITED OFFICIAL USE~~

CLASSIFICATION

OPTIONAL FORM 100-10
(For use by the Department of State)
January 1976
Dept. of State

on Nov 2, 1976--Ref A. In its ruling, the court ordered the govt to allow state of siege detainee Mirta Christina Atencia to exercise her option to leave the country or set her free within 20 days.)

2. Brazilians Expelled: UNHRC rep told Emboff that Brazilian nationals Paulo Paranagua and Maria Regina Pilla left Argentina, presumably for Europe, in mid-January after being expelled from the country by presidential decree (Ref B).

3. Lawyer Gets Warning: An Argentine lawyer told Emboff Jan 14 that he was given a friendly warning by a Federal Court judge acquaintance not to allow his name to appear on too many writs of habeas corpus. The judge said confidentially that the Interior Ministry had requested a background information and reports on lawyers who were filing writs on behalf of missing or detained Argentine citizens. Lawyer told Emboff that although he was not afraid for himself, he considered it possible that lawyers known to be active in filing writs or assisting in detention or disappearance cases could find themselves harrassed or their offices damaged. A separate source told Labatt essentially same story on different occasion.

4. GOA Bans Books: In four recent decrees, GOA has prohibited the distribution of a number of books, including "Black Power" by Stokeley Carmichael; several anti-Semitic publications published by Ediciones Odal and Argentine Nationalist Confederation Editions; and books on Peronism, Communism and other

socio-historical tracts published by Editorial Century XXI.

5. Detainee Lists: According to the latest weekly lists released by the Interior Ministry, 68 persons were removed from Executive detention under state of siege charges and 69 persons were arrested from Feb 4-11. Seven persons were removed from Executive detention and 32 arrested under state of siege from Feb 11-16. The names listed are not known to Embassy. Lists are being pouched to ECA/ARA.

6. Church Lists: Argentine churchmen have compiled a list of 340 persons who have allegedly been arrested, abducted or disappeared in Argentina in the last 12 months, according to an announcement of the World Council of Churches (WCC) in Geneva which was reported here Feb 12. The WCC statement said that "substantial evidence reflects a growing degree of repression and deprivation of human rights in Argentina." It noted that a Canadian parliamentary group had stated that at least 1,000 persons had "totally disappeared" in Argentina and that its compilation of 340 names constituted only an initial list.

7. Permanent Assembly List: Argentina Permanent Assembly for Human Rights rep gave Emboff a 33-page booklet listing names and short histories of approximately 340 persons who have allegedly been arrested, abducted or disappeared in Argentina from January 1 to December 31, 1976. Rep told Emboff that the Permanent Assembly sent the book to President Videla with a request for his assistance on behalf of those listed in January

but that it has not yet received a reply. Assembly is also providing copies for interested foreign journalists and international organizations. Rep said he was unaware of WCC statement and list, although he said he understood that Argentine church groups were preparing their own lists. The Permanent Assembly list includes several names known to Embassy, including that of Monica Mignone, Victor Noe, Gustavo Pasik and Maria Mirta Vazquez de Lugones, all of who reportedly disappeared in 1976. Patricia Ann Erb's name was also on list. Embaff informed Assembly rep that Erb had been expelled in October and was in US.

8. Extremist Actions: Extremists reportedly killed three police, one business executive and two railway workers from Feb 1-18. Two police were killed Feb 10 in Rosario when a bomb exploded as they were inspecting an abandoned car. The car had apparently been booby-trapped by extremists. Tamet steel plant industrial relations manager Pedro Alberto Lombardero was shot to death while driving to work in Buenos Aires province on Feb 10. One policeman died and six were injured in a five-hour car chase and gunbattle with extremists in a Buenos Aires residential suburb on Feb 15 (reftel C). During the same 18-day period, about 46 extremists were reportedly killed by security forces in separate incidents throughout the country.

9. Buckley Quoted: William Buckley was quoted in Feb 13 BA Herald as saying that although the "conclusion that human

rights violations have taken place was indisputable, it is premature and mistaken to impose international sanctions less than a year after the ouster of Mrs. Peron's govt. Peace and order must be restored (by President Videla) and the government must repress excesses by its own supporters." The quotes were reportedly taken from a Buckley article published in the New York Post..

10. Newspaper Closed: Small provincial newspaper El Independiente was closed for five days by the La Rioja provincial govt for publishing an editorial Feb 14 which said that "many who complained of subversion were responsible for causing it." The paper was closed twice in April 1976 on similar charges of violating national legislation on subversion. Argentine Association of Newspaper Owners (ADEPA) protested the closure to national authorities on Feb 17, saying that "such actions do not match government declarations of pluralism and open dialogue." The statement noted that the provincial govt had circumvented the courts and due process and ordered the closure by administrative decision, an action which, ADEPA concluded, "subverted the intentions of the national govt."

CHAPLIN

Mc~~LIMITED OFFICIAL USE~~

Classification

DEPARTMENT OF STATE TELEGRAM

CONTROL: 1543
25 FEB 77

INDICATE 1832
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

NA

SHUM SREF PORG AR UR

Refugee Situation in Argentina

ACTION:

SECSTATE WASHDC PRIORITY

INFO:

UNMISSION GENEVA

AMEMBASSY MONTEVIDEO

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1543

REF: (a) Geneva 1295, (b) Buenos Aires 828

AMB
DCM
POL3
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LEGAT
RF
CHRON

1. UNHCR rep reiterated to Emboff today (Feb 25) that GOA's record on treatment of refugees and cooperation with UNHCR and other agencies on resettlement of refugees have improved in recent months (ref B). He said that of 45 mandated refugees jailed in Argentina several months ago, all but eight have been released and expelled from Argentina to resettlement locations arranged by UNHCR. He repeated that there have been no incidents of harassment or mistreatment of refugees under UNHCR mandate now for several months. UNHCR is preparing a report on Argentine refugee situation but official said it will not be strongly critical of GOA.

2. One new problem, however, faced by UNHCR is that some 15

DRAFTED BY:

POL:YThayer: jr

DRAFTING DATE

2/25/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

SEARCHED

INDEXED

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FILED

AMB:RChill

DCM:MChaplin

FEB 28 1977

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CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-412(H))
January 1975

Uruguayans resident in Argentina for as many as 20 years have been arrested and it appears GOA authorities intend to apply same formula of expelling them from the country. These persons do not have records of political persecution in Uruguay and would not normally be classified as refugees ^{under} with UNHCR criteria. However, Uruguayan authorities are not willing to furnish passports for persons jailed by Argentine authorities on suspicion of subversive activities with passports or to permit them to return to Uruguay. UNHCR has been forced to accept them as refugees in order to arrange an alternative destination and resettlement outside of Argentina.

HILL


CONTROL: 1570

28 Feb 77

1356

DEPARTMENT OF STATE TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~LIMITED OFFICIAL USE~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

NA

SHUM AR

Argentine National Juan Mendez Departs Argentina for France

SECSTATE WASHDC PRIORITY~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1570

REF: Buenos Aires 1425 and 578

Susana Mendez today (Feb 28) confirmed that Juan Mendez left for France on Feb 27. His wife and children will join him there shortly. Mendez thanked Embassy for its efforts on his behalf.

Susana also reported that of six Argentines authorized to leave, Juan was first to depart and three others known to her are expected to leave soon. Julio Cesar Genoud has his passport and is expected to leave soon for England; Juan Carlos Carbajal and apparently Luis Alberto Nudel Sandiano have been brought to Villa Devoto for final processing prior to departure for Spain and Peru.

HILL

109-812-133

DRAFTED BY:

POL:YThayer jr

DRAFTING DATE

2/28/77

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121

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WSSmith

CLEARANCES:

AMB:RCHill

DCM:MChaplin

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CLASSIFICATION

OPTIONAL FORM 152 (H)
 (Formerly FS-410 (H))
 January 1975

AMB
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 POL/R
 ECOM
 USIS
 USDAO
 MILGP2
 SCIAT
 LEGAT
 RF
 CHRON

CONTROL: 1645

MAR 77 1137

DEPARTMENT OF STATE TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AmEmbassy BUENOS AIRES

CLASSIFICATION

~~SECRET~~

E.O. 11652:

TAGS:

SUBJECT:

GDS

SREF, SHUM, AR, BR, CZ

UNHCR Informed of Jaroslav Beck Case

ACTION:

AmEmbassy BRASILIA

INFO:

AmConsul SAO PAULO

AmConsul RIO DE JANEIRO

USMission GENEVA

~~SECRET~~ BUENOS AIRES 1645

REF:

(A) Brasilia 1534, (B) State 43629

AMB

DCM

POL-3

POL/R

ECOM

USIS

USDAO

MILGP-2

LEGAT

SCIAT

CHRON

As requested in Para 10 reftel A, Embassy informed UNHCR

rep of Jaroslav Beck matter February 28. Rep said Beck has

had long history of maladaptation and instability problems.

UNHCR referred Beck to Tolstoy Foundation, a refugee service

for Russian and Eastern Europeans, for assistance last year,

and rep said he had no other alternative suggestion to

recommend to help Beck this time.

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MAR 8 1977

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POL:YThayer:mg

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3/1/77

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CONTENTS AND CLASSIFICATION APPROVED BY

A/POLCOUNS:AGFreeman

CLEARANCES:

AMB:RChill

DCM:MChaplin

~~SECRET~~

CLASSIFICATION

OPTIONAL FORM 152(H)

(Formerly FS-413(H))

January 1975

Dept of State



LIMITED OFFICIAL USE

Classification

CONTROL 1682

3 MAR 77 1155

Department of State
TELEGRAM

INDICATE:

☐ COLLECT☐ CHARGE TO STATE

DISTRIBUTION

AMB
DCM
POL-3
POL/R
ECOM
USIS
DAO
MILGP
SCIAT
LEGAT
RF
CHRON

ACTION

E.O. 11652: N/A

TAGS: SHUM, AR

SUBJECT: FORMINISTRY GROUP REPORTS ON US INTEREST CASES

ACTION: SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 1682

FornMinistry human rights working group on March 1 provided the following information on US human rights interest cases presented since Jan. 1:

1. Claudia Ines Peiro -- detained in Unit 2, Villa Devoto prison under Executive decree 1207, dated 5-7-76.
2. Dora Golfarb de Lucero -- detained in Villa Devoto under Executive decree 1120 of 29-6-76.
3. Horacio Hector Crea -- detained under Executive decree 192 dated 28-1-75. His case is being processed under Federal Judge Ojeda Fabre.
4. ~~XXX~~ Alba Noemi Garofalo de Palacci -- whereabouts unknown.
5. Eduardo Maria Korin -- whereabouts unknown.
6. Miguel Alfredo Poinsteau -- whereabouts unknown.
7. Gustavo José Pasik -- whereabouts unknown.
8. Susana Mascia and Edmundo Daniel Szapiro -- investigation

109-812-135

DRAFTED BY:
POL: Ythayer:mpDRAFTING DATE
3-2-77TEL. EXT.
121APPROVED BY:
POL: A/Counsellor: AGFreeman

CLEARANCES:

AMB: RCHill
DCM: MChaplin

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Classification

initiated January 21. No information to date.

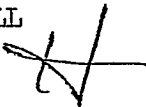
9. Federico and Hilda Alvarez Rojas -- ~~kw~~ whereabouts unknown. Federico reportedly had connections with several marxist educational organizations.

10. Jorge Fernando di Pasquale -- whereabouts unknown.

11. David Kraiselburd -- investigation initiated Feb. 2.

No information to date.

HILL



CONTROL: 7892
9 MAR 77 17:3

DEPARTMENT OF STATE TELEGRAM

INDICATE
☐ COLLECT
☒ CHARGE TO

STATE

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

GDS

SHUM PINS AR

Human Rights Round-up No. 12

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 1852

1. Press Commentary. Editorials on US reduction of FMS credits and GOA response have now tapered off, although there is still considerable feature story spinoff material, much of it datelined from US, some from Brazil. The editorials this past week fairly uniformly played on theme of anomalies in US policy and defended GOA's defense of its national sovereignty. However, after a week of ~~rex~~ pulling in their horns ~~treating on the subject~~ in the wake of the government's diplomatic backlash, we are now pleased to note, the two local journals which heretofore have been in the forefront advocating respect for human rights, "La Opinion" and "BA Herald", are once again urging remedial government action. As one "Herald" columnist put it, the GOA should do something about the problem for Argentina's own sake "without prodding from outsiders who are playing an entirely different game." The same writer, incidentally, nevertheless took Argentine Ambassador Aja Espil to task for thinking he could persuade

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DRAFTED BY:

POL:JBuchanan:AGFreeman:jr

CLEARANCES:

USIS:KRay

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3/9/77

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CONTENTS AND CLASSIFICATION APPROVED BY:

DCM:MChaplin

AMB:RChill

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CLASSIFICATION

OPTIONAL FORM 102-R
(Formerly FS-412-R)
January 1976
Dept. of State

Americans with his statement that "the underlying morality in the need to observe human rights is the very essence of the Argentine nation." There is an unusually strongly worded editorial in this morning's (Mar 9) "Herald" expressing the opinion that the way to defeat subversion is to "tell the truth, act to end injustice and stop excesses. If this is not done, the danger is that, as in Algiers and Viet Nam, military victory could end political defeat." While we cannot say that this line of commentary reflects a trend, in view of the "Herald's" limited readership and the ^{suspicious} ~~subterranean aspersions~~ cast on "La Opinion's" loyalty by the official establishment, ~~in~~ the two journals' ^{forthright} ~~courageous~~ return to a position on human rights is a positive development.

2. Videla's call for political dialogue. The press is hailing General Videla's comments aboard his presidential jet on return from Peru as heralding a new phase in government policy of consulting with representative sectors of public opinion concerning the country's political future. Videla spoke of "the time of silence coming to an end," although he made clear, as has Admiral Massera, that he was not talking about an accelerated return to the normal electoral process. The President's call for a political dialogue is a much broader topic than the human rights questions we have normally discussed in these roundups and we shall be reporting further on this initiative (which has been on drawing boards for some time) as its significance becomes clearer, but

of course it is a matter related to human rights and we merely wish to alert Department to this development.

3. Army communique. On March 6 a weekly radio program on army affairs broadcast an official army statement on human rights, which was also reported following day in the major news media. Timing of communique leaves little doubt that statement released in reaction to controversy with US on the human rights question. Text follows familiar GOA formulations on the substantive issues. It explicitly condemns "all human rights violations, no matter which ideological sector is violating them." The Government's and the Army's very tradition, it continues, is one of respect for human rights (~~the drafter evidently does not read the Argentine laws~~), but a distinction must be drawn between the natural rights of man in the abstract and the need of government in the real world occasionally to restrict liberties in defense of society. Argentina is in a war it didn't ask for with terrorists who methodically have violated human rights and created a criminal situation beyond police control, requiring the intervention of the Armed Forces. How would Argentines have reacted, it asks rhetorically, if the state had failed to suppress crime with means commensurate with the gravity of the threat? On heels of military credits issue, communique is defensive in intent, but there is no suggestion of any "give" in the Army's position regarding the substantive issues involved.

"Clarín" editorial picked up on this theme March 8 to suggest

that the government intends to repress human rights violations "from the right," but it can safely do so only when "the massive" subversion of the left has been defeated definitively.

4. Catholic priests in detention. Embassy has reported, with confirmation of local Catholic News Services, that no Catholic clergy currently imprisoned. However, we have now been informed by Nunciatura source that twelve priests are in jail, two of them since 1975. According to this source, and we have no reason to doubt the accuracy of this information, Nunciatura and Catholic Episcopate have tried repeatedly but unsuccessfully to gain release of the twelve. We are seeking further information, but in our judgment church-state relations have suffered seriously in recent months as a result of GOA pressures on Church to control what is said in Sunday sermons and what is taught in Catholic schools, the Church's inability to obtain prompt, satisfactory replies from the government with respect to inquiries concerning missing individuals and other similar issues which have arisen. The incident reported in the next paragraph further adds to the increased atmosphere of mutual suspicion between church and state.

5. Religious center bombed. On March 7 two early morning explosions damaged premises of Instituto de Cultura Religiosa Superior in downtown Buenos Aires. No casualties resulted. Less than six months ago, same location along with Instituto's nearby bookshop was sprayed with machinegun fire. Priests

running the Instituto refused to speculate on attacks, but previous machinegun incident coincided with furor over Latin American Bible and Institute at that time was labelled in press as third world-oriented.

6. Writs of habeas corpus. Writs have been requested on behalf of kidnap victims in the past, but in small numbers relative to the total amount of disappearance cases because of fear of reprisals and the futility of such legal actions. However, numbers jumped significantly on March 2-3 when at least 69 were submitted in various federal courts. Local press has commented that this is a significant development demonstrating that kidnappings are a frequent occurrence and a serious problem. We are checking further as to the genesis of this development.

7. Lists continue to be published. The government is continuing to publish lists of those arrested and at disposition of the executive, those released from under state of siege terms (though not necessarily freed from jail) and those foreigners expelled. Latest figures covering February 27-March 5 show approximately 50 arrests, 50 releases and six expulsions.

8. Journalists kidnapped. On March 1, two journalists, Mario Mactas and Oscar Blotta, were taken from the downtown offices of their publishing company by unidentified, armed civilians. Writs of habeas corpus were filed on their behalf. "La Razon" of March 7 reported that they, along with a third employee not previously cited as missing, had reappeared, apparently

unharmd. Identity of kidnappers undisclosed. All three worked for publisher of "Emmanuelle", a magazine recently banned by Buenos Aires provincial authorities because of its "insidious campaign to destroy the traditional family."

9. Clandestine press. Embassy received this week issue number 4 (Feb 1977) of "Cadena Informativa," a mimeographed broadside that, according to source at Nunciatura, is compiled and distributed clandestinely by families and friends of victims of human rights abuses by security forces. Issue 4 details killings by security personnel and attacks "shoot outs" allegedly staged to cover murder of prisoners.

10. New penalties for Jehovah's Witnesses. Law 21,528 published in Official Gazette of February 23 amends Code of Military Justice (Art 668) to add permanent and absolute deprivations of civil rights (voting, holding public office, etc.) to jail terms already prescribed for refusal to fulfill military service obligations. Law applies new sanction specifically to those holding "an inherent position of rebellion against fulfillment of duties of citizenship...who invoke reasons of conscience or belonging to psuedo-religious sects such as Jehovah's Witness, Bible Readers (Lectores de la Biblia), etc." Press has not commented on law, and we have been unable to reach Witnesses' representative for reaction.

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Classification

DEPARTMENT OF STATE TELEGRAM

CONTROL: 2002
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FROM
AMEMBASSY BUENOS AIRES

CLASSIFICATION
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E.O. 11652:

TAGS:

SUBJECT:

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Refugee offices ransacked; UNHCR reports 4 refugees disappeared

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 2002

REF: Buenos Aires 1543

1. Ten or more men in civilian clothes broke into Refugee Coordinating Agency offices late last night (Mar 14), ransacking files and stealing some office equipment, according to UNHCR rep. Rep told Emboff that files on urgent resettlement cases were in particular disarray and may have been copied on the office copying machine. Agency and UNHCR officials are investigating to see whether any documents were stolen. UNHCR rep said he had no idea why the offices were raided nor by whom, although he said it could have been meant as a warning following critical statements made by former Uruguayan senator Enrique Erro in Geneva last week. Erro spent 22 months in Argentine jails before being expelled by GOA in January this year.
2. UNHCR rep also reported that it has in recent weeks accepted under its mandate an additional 42 persons--11 Paraguayan, 17 Chilean, 10 Uruguayan and 4 Bolivian--who are being held in Argentine

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3/15/77

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MAR 16 1977

ATTACHE--BUENOS AIR

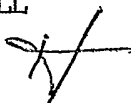
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CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975

jails, making a total of 50 mandated refugees currently detained in Argentina (see reftel). To date GOA has cooperated with UNHCR by expelling jailed refugees to resettlement locations outside Argentina. Rep said increased activity of Paraguayan intelligence and security forces in Argentina has led to high number of Paraguayan arrests^{here} and considerable preoccupation among Paraguayan refugees. Rep also noted that four refugees have reportedly disappeared since Feb 1, including Paraguayan doctor Augustin Goiburu who was kidnapped by unidentified armed men in Parana, Argentina on Feb 9. Goiburu had been summoned to Federal police headquarters in Parana for questioning and immediately released two days before his disappearance. (His case was specifically mentioned by US delegate to UN Human Rights Commission Tyson last week.)

HILL



16 MAR 77

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DEPARTMENT OF STATE

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Juan Ernesto Mendez

ACTION:

AMEMBASSY PARIS

INFO :

SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 2017

REF: (a) Paris 7393, (b) Paris 6864

1. VISAS DELTA Juan Ernesto MENDEZ

2. Juan Mendez is an attorney and assistant law professor. As a

student he was active in student and Peronist politics and later

as a lawyer he defended political prisoners and labor and student

activists. In August of 1975 Mendez was apparently picked up and

held incommunicado by police for four days during which he claims

he was tortured. Following the presentation of a writ of habeas

corpus filed by his family, Mendez was formally arrested and

charged with car theft. On November 24, 1975 he was found innocent

of the charge, a ruling that was later upheld by a federal appeals

court. Mendez was kept in jail, however, under Argentina's state of

siege provisions which permit the Executive to detain persons with-

out charge. Mendez then requested authorization to exercise the

right granted to state of siege prisoners by the Argentine

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DRAFTED BY:

POL:YThayer:jr

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3/16/77

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MAR 16 1977

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CLASSIFICATION

ATTACHE BUENOS AIRES

OPTIONAL FORM NO. 10
(Formerly FD-413 (M))
January 1976
Dept. of State

constitution, Article 23 to opt to leave the country in lieu of remaining in detention. Those who exercise the option may return to Argentina once state of siege is lifted. Mendez' request to go to Peru was denied when the govt ruled that prisoners could not opt to go to countries in the American hemisphere and he had formulated a new request to leave for France when the Peronist govt fell to the military in March 1976. The military govt suspended the constitutional right of option to leave the country and later extended the suspension by law for another 180 days on November 2. In response to a new writ of habeas corpus filed by the family, Federal Court Judge Marquardt, however, ordered Mendez be allowed to exercise his option and leave for France. On Jan 14, 1977 a presidential decree was signed authorizing Mendez to leave Argentina and on Feb 27 he departed for France.

~~2.~~ Mendez lived with John Hutchinson and family in Iowa as an exchange student in 1961-62. Hutchinson, who presently resides in Illinois, was extremely active in seeking US and international assistance in securing Mendez release and has offered to support Mendez and his family of wife and two young children in the US. A number of US congressmen have expressed interest in Mendez case, particularly Representatives Railsback and Drinan. Rep Drinan brought up case with Argentine officials during his visit to Argentina as member of Amnesty International delegation in November 1976. Other congressmen expressing concern include

Senators Percy, Hruska, Culver and Stevenson and Representatives Fraser, Grassley, John B. Anderson and Virginia Smith. Mendez family here indicated Mendez hopes to go to US to personally thank Hutchinson and Congressmen Drinan and Railsback for their efforts on his behalf. Embassy preparing separate reply to ~~xx reftek B or Visa Alpha~~


HILL

DEPARTMENT OF STATE TELEGRAM

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E.O. 11652:

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Representative Fraser Inquiry on Human Rights and Security Assistance

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES 5305

REF: STATE 159593

1. Our principal military monitoring technique consists of periodic Milgroup visits to Argentine Armed Forces installations throughout the country. Milgroup estimates that its members visit each installation containing US defense articles supplied through FMS (MAP materiel and excess defense material programs were terminated in FY 1967) on the average of three times per year. Argentine Armed Forces are also acutely aware of prohibitions contained in MASM referred to in para 3, reftel.

2. In and of themselves, our monitoring techniques and, of course, GFA understanding of US groundrules are insufficient to guarantee that Argentines are complying with prohibitions against ~~against~~ diversion contained in MASM. Our principal basis for confidence that Argentines have not been diverting such

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POL:AGFreeman:gr

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CONTENTS AND CLASSIFICATION APPROVED BY:

POL:WHHallman

LEARANCES: MILGRP:COLRussell

POL/R:Mr. Smock

SY:Mr. Kelly

DAO:COL Coughlin

DEA:Mr. Boldin

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CHARGE:Mr. [unclear]

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equipment to prohibited purposes is that ~~with some principal~~ ^{most} ~~exception~~ defense articles provided GOA in recent ~~years~~ ^{years} under military assistance programs do not lend themselves to internal security operations, let alone to law enforcement or for repression of human rights. The principal human rights violations in Argentina which concern us are kidnapping, torture, prolonged detention without charges and assassination of prisoners. None of the defense articles provided under the Security Assistance Program in recent years remotely can be connected to such activities. The ~~one possible~~ ^{principal} area of contention is that of helicopters. Helicopters are used for surveillance and tracking purposes in urban guerrilla situations. It is conceivable, although we have no specific information that (and our monitoring is inadequate to determine whether) helicopters provided under FMS may have been used for such purposes. ~~However, via our Milgroup monitoring we have determined~~
 ~~that no helicopters provided under FMS have gun mounts installed~~
 Although we have provided ammunition i.e. 155 mm. shells, such ^{terrorist}
 ~~ammo is not used in guerrilla~~
 ✓ ammo is not used in ~~guerrilla~~ operations.

3. Our knowledge and observation of military and police procedures are sufficient to convince us that no defense articles provided the military via FMS have been diverted to the police force. Most police equipment including weapons, transportation and ammunition is manufactured in Argentina. For further details see Buenos Aires 829.

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OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

~~CONFIDENTIAL~~

Memorandum

TO : LEGATT, POL/R, ECOM, SY, DAO, CONGEN

DATE: August 3, 1977

FROM : F. A. Tex Harris *JA*

SUBJECT: Human Rights Evaluation Report: Argentina - Embassy Comments

Attached is Fred Rondon's report to D/HA on the human rights situation in Argentina. This report is serving as a basic information paper for Assistant Secretary Derian's visit. The Department has also requested the Embassy's comments on it.

I would appreciate receiving by Noon Thursday, August 4 your preliminary reactions and comments on the human rights paper.

Many thanks.

POL:FAHarris:eg



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1) DATT
2) DCIN

HUMAN RIGHTS EVALUATION REPORT: ARGENTINA

Political violence has wracked Argentina since the late sixties. Such violence was partially responsible for the economic and political breakdown precipitating the March 1976 coup, and was subsequently used by the junta as a rationale for its no holds barred approach to counter-terrorism. This approach has resulted in egregious violations of human rights. The United States has responded by cutting back military credits, denying internal security munitions and tailoring votes in the international financial institutions to reflect its concern with human rights. While Argentine authorities have become increasingly sensitive to human rights criticism and have responded with several conciliatory gestures, there has been very little improvement to date. Human rights violations continue despite public admissions by the government that the terrorists have been largely defeated.

A. Condition of Human Rights in Argentina.

1. Respect for the integrity of the person, including freedom from

a. Torture

?

Although torture is prohibited by law, and publically condemned by government officials, there is no question that security personnel and prison officials engage in its use. The victims are usually suspected terrorists, but other leftists including priests and foreign political exiles have been maltreated as well. The government is aware of such activities but generally lets them go unchecked and unpunished.

Accounts of torture within prison facilities and known detention centers on military bases are common. Prisoners are subjected to both physical and psychological torture. They are beaten, given electric shocks, suffocated and subjected to mock executions. These cruelties occur most often during interrogation sessions.

The Department has interviewed Americans (who have been held in Argentine prisons) and has no reason to doubt the accounts of torture as told by Gwenda Mae Loken Lopez and Patricia Erb. The first woman was under detention from April until September 1976. Ms. Lopez authorized the Department to protest her treatment and this was done in a stiff note. As of mid-1977, the Department was continuing to hear accounts of torture, particularly in connection with the Graiver scandal which broke in April 1977 and led to many arrests for alleged subversive involvements and economic crimes.

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b. Cruel, inhuman or degrading punishment.

The Argentine armed forces have committed themselves to the elimination of terrorist "combatants." This policy has led to the summary execution of prisoners who reportedly had "blood on their hands". These executions are sometimes disguised as shootouts with the security forces or prison escapes. It should be noted that leftist terrorists rarely allow themselves to be taken alive in order to avoid interrogation and what they fear will be almost certain death.

Conditions in Argentine prisons are probably among the best in Latin America. A major exception has applied, however, to individuals being held at the pleasure of the executive power under the state of siege provisions of the Argentine constitution. These are the so-called political prisoners, some being charged with terrorist activities, others being held on unspecified charges of subversion, and others being held without any charges at all. Many of these political prisoners claim that they are detained in very cramped quarters, held incommunicado for long periods, forced to take ice cold baths, fed very sparsely and, in general, treated very roughly. Conditions for these political prisoners appear to have improved since the arrival of the International Committee of the Red Cross which began its program of inspections in January 1977.

c. Arbitrary arrest and imprisonment.

Arrest cases in Argentina fall under two categories: those concerning common crimes which are processed in the normal judicial manner, and state of siege arrests authorized by the Argentine Constitution during periods of internal disorder. The President of Argentina may detain and move people around under the state of siege provisions but, according to law, he may not convict or apply punishment upon his own authority. The state of siege powers, which were invoked in 1974, have been used to hold a wide variety of persons, many of whom have been held for long periods without formal charges.

Many of the arrests under the state of siege have taken place in the middle of the night, sometimes in the form of mysterious abductions. Some people are freed after short periods of interrogation. Others are held incommunicado without charges, and without formal acknowledgement of their detention.

In late 1976, the Argentine government began to publish lists of individuals released from executive custody. Many of those "released" have been literally freed, while others have

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been turned over to the judicial authorities. It has never been possible to know exactly how many of the reportedly "released" prisoners are actually freed. In early 1977, the government also began to publish the names of individuals detained by the executive. Unfortunately, the names of many persons who have been abducted fail to appear on these lists, even though it is suspected that they have been detained by the official security forces.

Reliable Embassy sources placed the number of persons under executive custody at about 5,000 in April 1977. The Department does not know whether this figure has since increased or not. The Argentine government has never announced an overall figure. Many of the 5,000 under arrest are terrorist suspects, but there is no way to determine how many are actually involved with subversive activities, and how many others are simply held for their political beliefs.

The problem of disappearances alluded to earlier in this evaluation is a very serious one. There is no question that there have been thousands of unexplained disappearances. In some cases, they represent guerrillas going underground. In a majority of cases, however, the disappearances appear attributable directly to the security forces. Relatives seeking to determine the whereabouts of disappeared individuals have filed hundreds of writs of habeas corpus. Up until recently the executive had made little effort to comply with judicial orders to provide information on disappearance and detention cases, show just cause for persons' arrests, or release prisoners as ordered by the courts.

On June 9, an Argentine government spokesman acknowledged that the government has received about 2,000 reports of disappearances and said they would be investigated. In May, during a state visit to Venezuela, President Videla admitted that at least some of the disappearances are due to an "excess of repression by the forces of order."

d. Denial of fair public trial.

While the Argentine courts function normally in civil and criminal cases, intimidation of the legal system led to a breakdown of the court system prior to the March coup. Judges and lawyers were subject to both left and right-wing terrorism. A system of military justice has now evolved for most cases involving accusations of political and economic subversion. The Argentine government looks upon the court system as a way to treat suspects with a degree of due process. It is true that military courts

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have found some people innocent, reduced sentences, and applied a variety of jail sentences. The major drawbacks though, are obvious: the military acts as both judge and jury, and there is no opportunity for legal defense. Trials are closed to the public.

e. Invasion of the home.

When attempting to arrest suspected political subversives, the security police have not hesitated to break into homes. A considerable amount of looting accompanied such break-ins during 1976 but it appears that orders have been issued to arrest suspects without engaging in theft.

2. Respect for civil and political liberties

a. Freedom of thought, religion, assembly.

The Argentine Consitution guarantees freedom of religion although this has been challenged by the Argentine government in the case of the Jehovah's Witnesses. On August 31, 1976, the government decided to enforce a 1950 decree banning their activities, principally for failure to salute the flag and perform military service. The Witnesses appealed to the Argentine courts. On June 16 an appeals court ruled that the ban on Witness activities, publications, broadcasts and proselytizing was unconstitutional. The court stated that religious liberty cannot be denied, even though it can be subject to regulation. The government appealed the case to the Supreme Court in July 1977.

Anti-Semitism has been a recurrent problem in Argentina, manifesting itself in a number of bombings of synagogues during 1976-77. There were no casualties in these incidents. In April 1977, there were fears that Army hardliners, encouraged by the publication Cabildo, were trying to fan anti-semitism in connection with the Graiver scandal, that led to the arrest of several prominent Jews. The Argentine government responded, however, by banning two issues of Cabildo. This may have been a cause of death threats against the representative of the American Jewish Committee in Buenos Aires, who fled to the United States in July. In a written statement, he viewed his persecution as an effort in part to embarrass President Videla. In a statement to the press on July 8, the Department's spokesman noted the Department's belief that anti-Semitism is not the policy of President Videla or his government, but that the threats against the life of the Jewish representative "may have required the complicity of irresponsible elements within the security forces." Concern about anti-Semitism is heightened by the fact that the Argentine government has not

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condemned it flatly nor punished individuals guilty of terrorist incidents against Jewish establishments. It is not so serious, however, that it has led to any appreciable Jewish emigration from Argentina.

Relations between the Catholic Church and the Argentine government were exacerbated by the publication of a Church document on May 7 criticizing the government's human rights record. One senior Church official who has worked diligently on behalf of human rights commented that the Church fears that rightist elements within the military are trying to provide a confrontation between the Church and the Videla Government, in order to bring about Videla's fall. The Argentine Church is reportedly trying to avoid lending itself to rightist manipulation.

Freedom of expression and opinion in Argentina has been somewhat restricted by the banning of various right-wing and left-wing publications. The Argentine press is required to exercise self-censorship, and is generally prohibited from mentioning terrorist and counter-terrorist operations unless officially authorized by the government. The clauses defining inadmissible topics for press coverage in the anti-subversive law passed in 1974 have been criticized for their vagueness by journalist associations in the past.

The international wire services with offices in Argentina report freely.

The Argentine press generally supports the government; criticism tends to be rare. The English language Buenos Aires Herald has stood out in support of human rights; its editor was jailed briefly in April for making reference to a meeting of Argentine terrorists in Rome. The other liberal daily, La Opinion, has become the government's newspaper as a result of the arrest of its editor, Jacobo Timerman, who is being held on economic charges. The free press has suffered as a result of this arrest. Numerous other journalists have suffered intimidation and arrest in Argentina.

Lawyers, politicians, labor leaders, psychologists, psychiatrists and scientists have all suffered varying degrees of repression, leading organizations such as Amnesty International and the U.S. National Academy of Science to voice their concern. Fair legal proceedings have been particularly damaged by right-wing intimidation of lawyers showing any willingness to defend political prisoners.

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b. Freedom of movement within a country, foreign travel and emigration policies.

Freedom of movement within Argentina is the general rule, although under the State of Siege provisions as stipulated in Article 23 of the constitution, the President has the power to "arrest or move people from one part of Argentina to another, if they do not leave the country." There are no restrictions placed on foreign travel. The freedom to emigrate may be withheld for men who are about to fulfill the compulsory military service, but in most cases the Argentine citizen is free to settle abroad.

According to a special provision in the Argentine constitution, prisoners being held under the state of siege have the "right of option" to leave the country in lieu of detention. This right was suspended in March 1976 but its reinstatement is currently under review as a result of orders from President Videla. A decision should come by October 1, 1977.

c. Democratic processes assuring the freedom to participate in the political process.

Upon taking power in March 1976, the military junta dissolved the parliament and banned political and labor activity. Since then all political offices have been filled administratively rather than by means of the electoral process. Political parties have had to suspend their activities. Basic union liberties have also been suspended, including the constitutional right to bargain collectively for wage increases and improvements in working conditions, and the right to strike. Under the Videla government there is little freedom to participate politically. The political parties are showing a little more courage, however, as the Radicales did in June when they criticized the government's human rights record. The Interior Ministry charged the party with engaging in political activities but a lower court dismissed the charges. The government has appealed the case.

3. Recent trends in governmental policies relating to the fulfillment of basic needs for food, shelter, health care and education

a. Policies designed to respond to the needs of the poor and policies which tend to ignore the needs of the poor.

A main objective of the present government of Argentina is sound economic recovery and growth. The economic policies designed to achieve these goals have adversely affected lower income groups, but never to such an extent that they could be

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termed violations of "human rights". The most important policies in this regard are: increased investment in productive capital projects, and the wage/price policy.

Increased government spending on capital investment has forced a decrease in funds set aside for social welfare spending. The current government has budgeted less in public housing, public health and education than the predecessor Peronist regime. By emphasizing wage control with limited price controls, real wages have been forced downward. Our Embassy reports that real wages have decreased on the order of 25 to 30 percent; the government's statistics show a 50 percent decline. The policy of wage restraint has been highly controversial. Wage-earners as a group have been disadvantaged in relation to the self-employed and to those who have income from non-wage sources. At the same time, unemployment has been kept relatively low (around four percent) despite the recession.

Trade union representatives and politicians who generally oppose the government's economic policies claim that many low income groups have been reduced to "starvation levels." This is difficult to prove empirically, and seems to be an exaggerated assertion. Nutritional levels are still substantially higher than those in almost all the rest of Latin America. Health care is available and is heavily subsidized. With increased economic growth and a winding down of the war against subversion there probably will be an increased investment in public education.

The Argentine government seeks to improve the lot of the poor primarily through economic growth and productivity and to this end relies largely on the revival of the private sector. Little emphasis has been placed on policies which could directly benefit the poor; their needs have been temporarily ignored. In fact, the economic policies presently implemented have adversely affected lower income groups.

b. Corruption of such a nature that significant resources are diverted toward the nation's elite and away from the majority of the population.

The Videla government is intent on routing out corruption and its efforts to date have been effective. Corruption in Argentina is held to a low level, it certainly is not of such a nature that significant resources are being diverted to the nation's elite and away from the majority of the population. The government's motives for suppressing corruption are often political. In a narrow sense, the anti-corruption campaign can be seen as an attempt to "get back at" and discredit previous regimes, especially the Peronist administration. A prime example of politi-

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cally motivated anti-corruption activity is the Aluar case, in which high-ranking officials of the previous military government are being processed for alleged corruption.

The Military itself, particularly in the higher echelons, continues to enjoy a clear reputation vis-a-vis corruption. Military officers are noted for their excessive zeal in purging society of corruption rather than in collecting their share of the spoils. Some of the means by which authorities seek to punish and reduce corruption are: stricter enforcement of tax laws; intervention of suspect businesses and unions; the stripping of allegedly excessive special privileges from union workers; the sanctioning of former government and union leaders for corruption under the "act of institutional responsibility;" and the arrest and trial of public officials charged with corruption, fraud, embezzlement and maladministration.

4. Describe the level of the government's responsibility for the foregoing human rights record, including the extent to which positive human rights measures are articulated as public policy or violations condoned as public policy because of security or other justifications. Evaluate the genuineness of those justifications.

The Argentine government is committed to the eradication of terrorism. This generally means that any leftist terrorist caught "with blood on his hands" will be executed. There is a new program, however, to rehabilitate marginally involved terrorists. With respect to right wing terrorism, our Embassy believes that there are no para-police or para-military bands operating out of control of the authorities. This is discussed below.

Torture is used regularly to interrogate suspected subversives. Individuals found to be innocent are released with apologies and admonished to remain silent.

The Argentine armed forces and undoubtedly a good portion of the Argentine public condone the use of harsh measures to fight the leftist extremist groups which initiated the cycle of violence in the late sixties. The most prominent of these groups are the Montoneros and the People's Revolutionary Army, who had thousands of combatants. They were able to operate freely during the mid-seventies as a result of their intimidation of political and judicial institutions. By 1974 rightist counter-terrorist organizations began to operate with government sanction. The most notorious rightist group was the AAA (Argentine Anti-Communist Alliance) which persecuted the political enemies of Presidents Juan and Isabel Peron (1973-76). Today, the ranks of

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the leftist terrorists have been decimated and the members of the AAA dispersed or jailed for common crimes. Even so, leftist terrorists have made four attempts on President Videla's life - the latest in June 1977, almost succeeded in assassinating Foreign Minister Guzzetti in May, and continue to kill businessmen, policemen and military officers. Retired officers are easy, preferred targets.

While President Videla makes no secret of his support of harsh counter-terrorism, he has tried to limit ideological and political repression. Such diverse groups as the Catholic Church, Argentine Jewry, the Peronist, Radical and Communist Parties, as well as many center-left figures are convinced that President Videla is a moderating force. Non-violent leftists such as Senator Solari Yrigoyen or Mrs. Alicia Moreau de Justo, President of the Permanent Assembly for Human Rights, counter that repression could not get worse than it is under the Videla administration.

Videla seems unable to control the powerful military commander of the Buenos Aires Military region, General Suarez Mason, in whose district the worst atrocities are being committed today. During the third week in July eight lawyers were abducted in Mar de Plata, leading to immediate speculation that Suarez Mason authorized these actions to embarrass the Videla Government. Suarez Mason is seconded by the governor of Buenos Aires, retired General Saint Jean, and both men seem dedicated to making political compromise an impossibility for Videla. Suarez Mason and his cohorts are held responsible for the political and anti-Semitic overtones of the Graiver Scandal, that led to mass arrests in April 1977, for the jailing of former President Lanusse (subsequently released), and for the intimidation of the Argentine representative of the American Jewish Committee. Suarez Mason typifies the Argentine Army hardliners.

President Videla has admitted publicly that the security forces have committed excesses. He seems to be trying to restrain such excesses and a key test will come this fall when an effort may be made to retire Suarez Mason. This would be in connection with the annual promotion-reassignment cycle in the Argentine army. Videla cannot retire Suarez Mason unilaterally and must have the support of a majority of generals. He must therefore build a consensus for action against Suarez Mason, who not only has a following in the Army but seems to enjoy support in the hardline Argentine Navy.

The Argentine government appears to be trying to use the courts and the legal system as a means for restoring institutional

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order. The government's willingness to accept court rulings on the Radical Party - which criticized the GOA despite a ban on political activity, and Jehovah's Witnesses will be another important human rights indicator.

The restoration of the "right of option", whereby prisoners under executive custody may opt for voluntary exile, is under active study. Its restoration might contribute to the release of many prisoners and be further evidence of human rights change.

Accounting for prisoners and disappearance cases will be the most difficult area for decision. A beginning was made in late 1976 as the names of those released from executive custody became public; in early 1977 the government began to list those detained by the executive. These lists are incomplete, however, because most of the kidnap victims of the security forces are never acknowledged.

The accounting problem is far more difficult than most outsiders think. Various units of the three armed forces and the police are known to keep their own prisoners whose identities, status and final disposition are not always reported or subject to the President's immediate control. The Navy is apparently the worst offender. Navy hardliners were responsible, for example, for the arrest and torture of Senator Solari Yrigoyen, a left of center democrat who was expelled to Venezuela in May despite the probable opposition of the Foreign Ministry, which is in the hands of the Navy. One of Solari's companions, Representative Abdel Amaya, died as the direct result of torture, according to Solari. The Navy is also believed responsible for the detention of a number of priests and labor leaders. The objective of these secret arrests appears to be to use civilians as pawns for bargaining with the Church, labor and the political parties as well as to prevent efforts by the Army to reach accommodations with such groups.

In sum, human rights violations as they apply to the elimination of terrorists are government policy; the end justifies the means to the GOA. The overall level of repression in Argentina is another matter given the internecine struggle within the security forces. Human rights violations in this latter category reflect Argentine political instability.

5. Describe the willingness and past record of the government regarding independent, outside investigation of alleged human rights violations.

Amnesty International visited Argentina in November 1976. During the visit several plainclothes policemen, ostensibly

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assigned to protect the delegates, followed them wherever they went, and questioned and even detained a number of people whom they met. The Amnesty report, published in March, was highly critical of the Argentine government's human rights practices. The Department and our Embassy in Buenos Aires believe that the Amnesty report was a generally accurate one.

The International Committee of the Red Cross established an office in Buenos Aires in January 1977. It has visited most prisons but does not have access to military bases. Conditions in prisons such as the one at La Plata, where summary executions have been reported, appear to have improved as a result of the ICRC's program.

American Officials have suggested to the Argentine government that the Inter-American Human Rights Commission be invited but no action has been forthcoming. The Commission itself does not appear to have pressed for a visit.

In August, the House Inter-American Subcommittee is expected to visit Argentina and will presumably report on conditions in Argentina.

The Argentine government has shown itself very willing to discuss human rights with American officials, including the Coordinator for Humanitarian Affairs, Patricia Derian, who visited Buenos Aires in April.

In late 1976, the Foreign Ministry established a Human Rights Working Group through which foreign embassies could channel requests for information on Argentine and third country nationals.

B. Analysis and Recommendations

1. Identify legitimate objectives over the next three, six, twelve months in relation to improving conditions in Argentina, with respect to categories A 1, 2 and 3 above.

a. Publication of a list of all persons under executive custody.

This step has been urged repeatedly by U.S. diplomats as well as human rights organizations so that families may learn whether next of kin are in prison or not. This would help to clear up the question of disappearances. Its publication will depend almost entirely on the political situation in Argentina,

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since the acknowledgement of prisoners will raise many questions about what happened to those who are not listed as under detention. We should continue to press diplomatically for such a list while recognizing that other steps outlined below are probably a necessary prelude to this step. This is possibly a twelve month objective.

b. Regularized detention procedures.

If the security forces would acknowledge the arrest of prisoners, this would likely contribute greatly to the end of summary executions, disappearances, and help to reduce torture. With the Argentine government holding the upper hand over terrorism, it should be able to acknowledge openly whom it is arresting. Such an acknowledgement in no way threatens the government's political power. Nor does it force the government to look back and punish its own security forces. Argentina's military hardliners have of course resisted any form of accounting. This would appear to be an appropriate goal which could be tied to our ability to sell commercial arms related to internal security. While we should be forthcoming if all arrests are acknowledged as they take place, we should modulate any internal security arms sales carefully to reflect whether families and lawyers have access to prisoners and whether detainees who are not charged promptly are released. This is an immediate objective although realization probably depends upon the consolidation of President Videla's power.

c. Re-establish jurisdiction of the civilian courts.

This is a long term step which will not be accepted readily by the Argentine military in cases they define as subversive ones. Even if we sell arms commercially to Argentina, we might consider refusing FMS credits pending the realization of this step.

d. Investigate and try persons guilty of abusing prisoners.

Exemplary action by the Argentine government in this field would help bring an end to torture. While the situation should improve sharply as detention procedures are regularized, interim action in this area would reflect GOA seriousness to end abuses. The GOA need not look back but simply declare that no more abuse will be allowed. Action would be an indicator that the human rights picture is on the mend and should influence our votes in the international financial institutions.

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e. Permit detainees to seek asylum abroad.

This is possibly the most realizable of our priority human rights goals and represents a uniquely Argentine solution to the problem of political prisoners, i.e. the "right of option" is a constitutional right in Argentina. The Argentine Economy Minister has already told us that the government is considering restoration of this right. If accompanied by the release/exile of uncharged prisoners, it would help significantly to alleviate the problem of political prisoners. The GOA probably expects that we will respond to reinstatement of the right by voting for Argentine loans in the international banks. Failure to do so would suggest to the GOA that we did not recognize a significant human rights improvement. At the same time, GOA failure to accompany reinstatement of the right with permission to emigrate, might require us to return to the status quo ante in the IFIs.

f. Political, ideological and religious repression.

While it is true that there is ideological persecution in Argentina, it is generally related to counter-terrorist excesses rather than any government plan to purge the country's non-violent opponents. There is, nevertheless, a very real possibility that the government might become far more repressive. If this turns out to be the case, there would probably be no choice but to restrict completely military transfers and vote against Argentina in the international financial institutions. With respect to political or labor rights, it is probable that these groups will challenge the government more openly as the terrorist threat recedes. Such a challenge could either lead to political liberties or repression. This is a longer term issue in Argentina.

2. Identify principal reaction in Argentina, pro and con, to the new U.S. human rights policies and Embassy actions and proposed actions in support of those policies, including reactions of the government, opposition leaders, Church and the most influential private and intellectual groups and the general public.

Our Embassy in Buenos Aires understands fully the importance attached to human rights by the new Administration. Human Rights Coordinator Derian made her first visit as Coordinator to Argentina and communicated the Administration sense of priority. The Embassy was already actively engaged on behalf of human rights, The Argentine government learned in September 1976 that we would probably be unable to support their loan projects in the Inter-American Development Bank if the Harkin Amendment were found to apply. The Argentine government has not chosen to test us in the Bank. Both before and since then, our Embassy has discussed the question of human rights at literally every level of the Argentine government.

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The Argentine government has received very confused signals, however. It feels that Secretary Kissinger was understanding of the Argentine problem and therefore disinclined to sanction Argentina. Former Ambassador Hill, who has faithfully carried out his instructions while en poste, left Argentina in May, and publicly criticized the new Administration's approach to human rights in a July interview with a major Argentine magazine. Our choice of a new Ambassador to Argentina is therefore a very important one in terms of our human rights impact within Argentina.

Unlike the previous Administration, senior Administration officials have made the United States' commitment to human rights unmistakably clear to the Argentines. These officials include the Secretary of State, the Secretary of the Treasury and the President's Assistant for National Security Affairs.

Government reaction in Argentina, at least within the armed forces, appears to be hostile to the Carter Administration. The Argentine military resents deeply our military sanctions, coming at a time when many of them believe they are engaged in a fight against Marxism. They also resent the double standard we have applied. They see us ignoring human rights abuses in the case of South Korea, for example, where U.S. security is at stake, but not when Argentina's security (from terrorism) is involved.

Civilian opposition leaders, notably those in the Peronist and Radical parties, seem ambivalent about the new Administration's approach. They want us to pressure the Argentine government to respect human rights and move towards civilian rule. This is particularly important to them as the terrorist problems get under control. They fear, however, that we might go too far and possibly cause President Videla's downfall and greater political repression.

The Catholic Church in Argentina shares the Administration's concern for human rights and has criticized the GOA. It is fearful, however, of playing into the hands of extremists on either side of the political spectrum.

Conservative intellectuals probably distrust our motives, concluding that the Administration has chosen human rights as a banner to fight communism and for domestic political gain. The conservative Argentine media reflects this opinion. Beseiged liberals in Argentina, particularly those who care about human rights, endorse and take heart by the Administration's approach.

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3. Evaluate reactions in 2 above in terms of the implications for positive and negative changes in the human rights conditions.

At least for the next few years, the question of human rights will be clearly in the hands of the Argentine military, either as rulers or overseers of a civilian regime. It would therefore appear that we have sought deliberately to antagonize the group most able to affect the situation in Argentina. Argentine military officers have certainly told us this. On the other hand, the Videla administration seems to care seriously about its image in the Western world and it wants to do all it can to preserve whatever relationships it can with the United States as it goes through what it hopes is a transitional period. For example, the Videla government courts Argentine labor every time the International Labor Organization meets. The GOA also went out of its way to come up with human rights "improvements" prior to June votes in the World Bank. A negative vote by the United States would not have denied credits to Argentina, yet the GOA sought our vote actively. The military is also well aware that we have welcomed into our hospitals Argentine soldiers victimized by terrorism. In addition, senior Administration officials have made it clear to the Videla Administration that we very much want to involve ourselves constructively in Argentina, if they will only do their part to moderate their human rights practices.

Civilian democratic leaders in Argentina probably view the Administration's policies as a brake for greater repression in Argentina and a source of support for a return to constitutional rule. Their main fear is that we might push too hard.

4. Evaluate the impact of U.S. actions on other U.S. interests in Argentina, most notably in the field of nuclear non-proliferation.

Argentina has the most advanced nuclear technology in Latin America and is moving to acquire an indigenous possibly unsafeguarded, reprocessing capability. It is therefore crucial to our non-proliferation policy that we preserve an ability to dissuade Argentina from proceeding with reprocessing. The Administration is presently considering major nuclear initiatives toward Argentina, which might be foreclosed if the United States government decided to treat Argentina as a pariah.

Up to now, however, U.S. interests have not suffered appreciably as a result of our policies. If publically we decide to deny all arms transfers, it seems likely that Argentina will refuse access to its airports and shores of U.S. military aircraft and

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vessels, e.g. the UNITAS navy exercise would probably be scrapped. Arms denials are also orienting the Argentine military toward Europe and self-sufficiency. In the economic field, it can be assumed that the Argentines will seek to deal with Europe whenever possible. Argentina is not an important supplier to our markets.

If we opt to seek actively to block economic credits to Argentina, particularly commercial credits, Argentina will probably do its best to turn Latin America against the United States. In desperation, Argentina might develop a more active relationship with the communist world, with which it enjoys a trade surplus of about \$350 million.

Drafting: ARA/ECA:FERondon/CKinney
7/20/77: x 29166

Clearances: ARA/ECA:RWZimmermann
ARA:GLister
D/HA:

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CONFIDENTIAL

MR. F. A. TEX HARRIS, POLITICAL
SECTION

8/4/77

MR. ROBERT W. SCHERRER, LEGAL ATTACHE

HUMAN RIGHTS EVALUATION REPORT:
ARGENTINA - EMBASSY COMMENTS

Reference your memo of 8/3/77, which attached FRED RONDON's report to D/HA on the human rights situation in Argentina.

I have reviewed the above described report and have no information to add to that contained in the report.

I feel there are several minor inaccuracies in the report; however, these inaccuracies do not affect the overall conclusions arrived at in the report. For the record, the inaccuracies conceived by me in the enclosed report are as follows:

Page 7 contains a paragraph, which reads "Increased government spending on capital investment has forced a decrease in funds set aside for social welfare spending. The current government has budgeted less in public housing, public health and education than the predecessor Peronist regime." The foregoing statement is undoubtedly true; however, I believe it conveys an incorrect impression, i.e. the current military government is less attentive to the needs in public housing, public health and education, since they have budgeted less money for these projects than the predecessor Peronist government. I believe that when the unbelievable level of graft and corruption spent by the Peronist Social Welfare Ministry is eliminated from the publicly proclaimed Peronist government budgeted funds in the areas of social welfare, the conclusion would be reached that the current military regime has budgeted more in the areas of social welfare, than its corrupt predecessor.

Page 8 contains a statement indicating "our Embassy believes that there are no para-police or para-military bands operating out of control of the authorities." I would like to register my dissent with this statement since there are groups within the Federal Police of Argentina, the Buenos Aires Provincial Police, and the Argentine Army Intelligence Service,

CONFIDENTIAL

1 - Addressee
1 - Buenos Aires (109-812)

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which operate on occasion without the knowledge or authority of their superior officers. In the case of the Buenos Aires Provincial Police, numerous activities are carried out without the authority or knowledge of the Minister of the Interior, who is ultimately responsible for activities of the Buenos Aires Provincial Police. Likewise, the same can be said for the Federal Police of Argentina in some of their "non-official operations."

Page 8 contains information concerning a group identified as the AAA. Information is contained in this section, which indicates that members of the AAA have been dispersed or jailed for common crimes. I believe the impression is created that the AAA was a single entity. This is not so. The AAA was never any one single entity, but was a pseudonym utilized by various individuals, groups or organizations to claim credit for rightwing terrorist activities. Some of these individuals, groups or organizations originated with the Federal Police of Argentina, the Social Welfare Ministry, the CGT, the Ministry of Labor and the Argentine Army Intelligence Service. Additionally, the various labor unions carried out many activities under the AAA banner. There is no doubt that individuals taking part in so-called AAA activities from the Social Welfare Ministry, the Ministry of Labor and the various labor unions, probably have been jailed; however, many AAA participants are still walking the streets and in some instances are connected with Argentine security forces.

Page 14 contains information concerning Argentine Government resentment of the double standard the U. S. Government appears to have applied in ignoring human rights abuses in South Korea, where U. S. security is at stake. For the record, I would like to register comments made by various ranking Argentine military contacts with regard to the case of South Korea and Israel, as concerns human rights abuses in those countries. With regard to South Korea, many Argentine military contacts have expressed their sincere conviction that the U. S. Government has not taken sanctions against South Korea for well documented human rights violations because of the fact that "numerous" U. S. Government officials, including Senators and Congressmen, have been bribed and corrupted by the Korean Intelligence Agency (KIA) and therefore were not disposed to act against their benefactor out of fear of retaliation. These Argentine military contacts note large U. S. military presence in South Korea and frankly are confused that the U. S. would tolerate human rights violations in South Korea using the excuse that U. S. security is involved. Argentine military contacts view South Korea as a U. S. militarily occupied and dominated country. Admittedly, the views of these Argentine military contacts concerning South Korea are erroneous and

simplistic; however, I am convinced that they sincerely believe their views to be valid. Numerous ranking military contacts have also indicated their dismay with the U. S. Embassy, Tel Aviv's report to Congress on human rights violations in Israel, which was publicly disclosed.

These contacts generally state that they are convinced that the Israeli Intelligence Service and Israeli Security Forces have no hesitation in carrying out the most vicious human rights violations against Arab terrorists operating against Israel. These military contacts believe that the U. S. Embassy, Tel Aviv's report was a "white wash" since they are certain that daily so-called human rights violations by Israeli Security Forces take place against Arab terrorists and innocent Arabs in the Middle East.

Information in the latter paragraphs has been included since I believe it is pertinent in an evaluation of reaction in Argentina to U. S. Government's human rights policies.

~~Classified by 5931 GDS.~~

DEPARTMENT OF STATE TELEGRAM

CONTROL: 5681

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| FROM AMEMBASSY BUENOS AIRES | CLASSIFICATION UNCLASSIFIED |
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E.O. 11652:
TAGS:
SUBJECT:

N/A
CVIS, SREF, AR (VOGLER, GUILLERMO CLAUDIO) (VOGLER, LILIANA)
NAME CHECK

ACTION:

SECSTATE WASHDC IMMEDIATE

RUEABND/DEA HQS WASHDC IMMEDIATE

CONS

DIRECTOR FBI IMMEDIATE

POL-2

POL/R*

UNCLASSIFIED BUENOS AIRES: 5681

LEGATT*

SY*

1. VISAS EAGLE.

DEA*

2. VOGLER, GUILLERMO CLAUDIO ARGENTINE

RF

CHRON

13 MAY 1925 PER GENERAL CABRERA, CORDOBA, ARGENTINA

OCCUPATION NOT IMMEDIATELY KNOWN

UNIT 9, LA PLATA PRISON

3. BEING DETAINED BY ARGENTINE GOVERNMENT, FOR ALLEGED

ILLEGAL POSSESSION OF A WEAPON, ACCORDING TO FAMILY.

4. VOGLER, LILIANA ARGENTINE

17 JUNE 1958 RIO QUARTO, CORDOBA, ARGENTINA

OCCUPATION NOT IMMEDIATELY KNOWN

VILLA DAVOTO PRISON

5. DAUGHTER OF ABOVE. BEING DETAINED BY ARGENTINE

GOVERNMENT CHARGED WITH SUBVERSIVE ACTIVITIES, ACCORDING

*POL/R
LEGATT, SY,
and DEA,
please do
file check,
note results
hereon, and
return
directly to
CONS/REF.
Thanks.
(CONS is in
touch with
POL
separately.)

DRAFTED BY:

CONS:Whitchcock:eg

CLEARANCES:

POL:WHallman

DRAFTING DATE

8/3/77

TEL. EXT.

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CONTENTS AND CLASSIFICATION APPROVED BY:

CONS:GOHuey (subs)

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CLASSIFICATION

FBI-BUENOS AI

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

TO FAMILY.

CHAPLIN *Wmd*

CONTROL: 7848
201546Z OCT 77

DEPARTMENT OF STATE TELEGRAM

INDICATE
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:
TAGS:
SUBJECT:

GDS \
SHUM, AR
PARALLEL DETENTION-THE CASE OF LILIANA VOGLER

ACTION:

SECSTATE WASHDC

~~CONFIDENTIAL~~ BUENOS AIRES: 7848

CHARGE
POL-3
POL/R
ECOM
USIS
RF
CHRON
LEGATT
SY

REF:A) STATE 236793 B) STATE 244239

1. LILIANA VOGLER AND MORE THAN 1,300 OTHER PERSONS
ARE HELD IN ARGENTINA BOTH UNDER STATE OF SIEGE (PEN)
EXECUTIVE DETENTION AND JUDICIALLY ORDERED PREVENTIVE
A
DETENTION. REFTTEL/IS CORRECT THAT EITHER PEN DECREE
A ORDER
OR/PREVENTIVE DETENTION/IS SUFFICIENT LEGAL BASIS FOR
DETENTION. IT IS IMPORTANT TO POINT OUT THAT IN THESE
CASES OF PARALLEL DETENTION THE RECENTLY RESTORED
RIGHT OF OPTION PROCEDURES ARE NOT AVAILABLE. THE GOA,
TO DATE, WILL NOT PROCESS RIGHT OF OPTION PETITIONS IN
THOSE CASES WHERE PRISONERS ARE ALSO HELD UNDER
JUDICIALLY ORDERED PREVENTIVE DETENTION.

2. ARGENTINE OPERATING PROCEDURES IN PROCESSING
TERRORIST AND SUBVERSIVE CASES LEAD TO THIS DOUBLE
SYSTEM OF DETENTION. A SUSPECTED INDIVIDUAL IS PICKED

DRAFTED BY:

POL:FAHarris:eg

DRAFTING DATE

10/7/77

TEL. EXT.

277

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WHallman

CLEARANCES:

LEGATT:RWScherrer

SY:RKelly

~~CONFIDENTIAL~~

CLASSIFICATION

OCT 25 1977

FBI-BUENOS AIRES

OPTIONAL FORM 152 (Rev. 1-65)
(Formerly FS 410-10)
January 1965
Dept. of State

UP AND "INTERROGATED". A DECISION IS THEN MADE EITHER TO RELEASE, PUBLICLY DETAIN UNDER PEN, OR SECRETLY HOLD THE INDIVIDUAL.

SUBSEQUENTLY, AFTER ADDITIONAL REVIEW A DECISION MAY BE MADE TO IRREDEEMABLE ELIMINATE ~~XXXXXXXXXX~~ TERRORISTS. IN POLICE JARGON THIS SORTING OUT PROCESS IS KNOWN AS THE "RIFF".

3. IN CASES WHERE THE PERSON IS PUBLICLY HELD UNDER (PEN) PRESIDENTIALLY DECREED EXECUTIVE DETENTION, THE FACTS OF THE CASE ARE REVIEWED AT A LATER TIME AND A JUDGEMENT MADE WHETHER THE GOVERNMENT HAS ENOUGH CLEAR AND INTRODUCIBLE EVIDENCE OF A CRIME TO BRING THE PERSON TO TRIAL. IF THIS IS FELT TO BE THE CASE, A DECISION IS THEN MADE WHETHER THE PERSON SHOULD BE TRIED BEFORE A CIVILIAN CRIMINAL COURT OR BEFORE A MILITARY COUNCIL.

4. THE PERSON IS THEN TURNED OVER TO THE SELECTED JUDICIAL SYSTEM FOR CRIMINAL PROCEEDING IN ACCORDANCE WITH THE CIVIL CODE OF CRIMINAL PROCEDURES OR THE CODE OF MILITARY JUSTICE. UNDER EITHER OF THESE PROCEDURES PREVENTIVE DETENTION IS NORMALLY ORDERED BY THE INVESTIGATING JUDGE TO HOLD THE DEFENDANT WHILE THE INVESTIGATORY PROCEDURES TAKE PLACE. THIS INVESTIGATION MAY LAST FOR ONE OR TWO YEARS IN CIVILIAN COURTS OR MAY BE VERY SWIFT AT TIMES IN MILITARY COURTS.

5. IN THE MAJORITY OF SUCH CASES, THE EXECUTIVE DETENTION DECREE IS NOT RESCINDED. PERSONS ARE HELD UNDER PARALLEL LEGAL AUTHORITIES. ARGENTINE OFFICIALS STATE THAT THERE IS NO

INCONSISTENCY

~~INCONSISTENCY~~ IN THIS, AS EXECUTIVE DETENTION IS DECREED DUE TO THE PERSON'S POSING A THREAT TO THE PEACE AND GOOD ORDER OF THE NATION UNDER STATE OF SIEGE CONDITIONS. ON THE OTHER HAND, PREVENTIVE DETENTION IS PART OF A CRIMINAL PROCEEDING AGAINST THE INDIVIDUAL FOR SPECIFIC ILLEGAL ACTIVITIES.

6. ANOTHER PURPOSE OF THE DUAL DETENTION AUTHORITY IS TO INSURE THAT PERSONS AGAINST WHOM THERE ARE OUTSTANDING UNRESOLVED CRIMINAL CHARGES ARE NOT RELEASED AFTER THE CRIMINAL CHARGES ARE ADJUDICATED. PEN INSURES THEIR CONTINUED DETENTION. THE PROBLEM DERIVES FROM PAST EXPERIENCES WITH A BADLY ~~INTIMIDATED~~ ~~INTIMIDATED~~ JUDICIARY WHO SUMMARILY FREED SOME SUBVERSIVES AFTER BEING THREATENED.

7. IN SUMMARY, LILIANA VOGLER AND PERHAPS UP TO A QUARTER OF THE PERSONS PRESENTLY HELD UNDER EXECUTIVE DETENTION ARE NOT ELIGIBLE TO PETITION FOR THE RIGHT OF OPTION UNTIL THE CRIMINAL CHARGES AGAINST THEM HAVE BEEN ADJUDICATED -- A ~~CAN~~ PROCEDURE, WHICH AT PRESENT/TAKES UP TO TWO YEARS IN ARGENTINA.

CHAPLIN 112

~~CONFIDENTIAL~~

Classification

BA-17
OPTIONAL FORM 10-1
(Form 10-1)
January 1963
Dept. of State

MEMORANDUM FOR THE FILES

SUBJECT: Disappeared Person - ALTAMIRANDA, Ruben Omar

Ruben Omar ALTAMIRANDA (CI 5-856-427) a 24 year old Argentine, bachelor and commercial pilot was taken from his home at 5:30 AM on January 14, 1977 by approximately 10 armed civilians.

His father who lives at Juan B. Justo 1320, Florida, Province of Buenos Aires - (Phone 797-5965) called at the Embassy on August 24, 1977 to seek U.S. assistance. He indicated that family friends in Miami are interested in pushing for the son's release. They will be in contact with Congressman Fascell.

The father has received 3 informal reports through "good contacts" that his son was alive. One report indicated that his son had been tortured. ALTAMIRANDA's father has filed 7 habeas corpus petitions, all with negative results.

The father said that he was sure that his son was not involved in any subversive activities. His son had attended a military high school prior to enrolling in the military aviation school. After completing a year there his son decided to continue his aviation studies and become a private pilot which he did. His father stated that his son had no interest in politics and that all of his friends are free.

CC: POL
POL/R
SY
✓ LEGATT
ARA/ECA (Bumpus)
D/HA (Bova)
H (Cutter)

POL:FAHarris:eg (8/29/77)

Human Rights file

109-812-143
SEARCHED INDEXED
SERIALIZED FILED
AUG 29 1977
I-BUENOS
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CONTROL: 6621
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DEPARTMENT OF STATE TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

~~CONFIDENTIAL~~

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

INFO:

GDS

SHUM, PORS, AR, PINS

DERIAN MEETING WITH ARGENTINE PERMANENT
ASSEMBLY FOR HUMAN RIGHTS

SECSTATE WASHDC PRIORITY

AMEMBASSY ASUNCION

AMEMBASSY BRASILIA

AMEMBASSY LA PAZ

AMEMBASSY MONTEVIDEO

AMEMBASSY SANTIAGO

~~CONFIDENTIAL~~ BUENOS AIRES: 6621

REF: (A) BUENOS AIRES 6221 (B) STATE 193417

1. HUMAN RIGHTS COORDINATOR DERIAN MET WITH
REPRESENTATIVES OF PERMANENT ASSEMBLY ON AUGUST 9.

ASSEMBLY REPRESENTATIVES DESCRIBED TWO RECENT

ACHIEVEMENTS: (1) THE SUPREME COURT'S REQUEST

TO THE PRESIDENT THAT THE EXECUTIVE BRANCH THOROUGHLY

INVESTIGATE THE HABEAS CORPUS PETITIONS FILED BY

FAMILIES ON BEHALF OF "DISAPPEARED" RELATIVES. THE

ASSEMBLY HAS ITSELF AIDED IN THE SUBMISSION OF 655

HABEAS CORPUS PETITIONS; MORE PETITIONS ARE IN

PREPARATION, AND (2) THE EX DOCUMENT PUBLISHED

IN MAY BY THE CATHOLIC BISHOPS DESCRIBING CASES OF

DRAFTED BY: D/HAMBOVA:cls

DRAFTING DATE
9/3/77

TEL. EXT.

CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WHallman

CLEARANCES:

POL:FAHarris:

SEP 1977

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CLASSIFICATION

OPTIONAL FORM 100-10
(Formerly FS 413-10)
January 1975
Dept. of State

HUMAN RIGHTS VIOLATIONS BY THE PUBLIC AUTHORITIES. THEY ALSO SAID THEIR GROUP WAS GROWING AND BECOMING MORE REPRESENTATIVE OF ALL SECTORS OF ARGENTINE SOCIETY.

2. THE GROUP SAID THEY SAW NO IMPROVEMENT IN THE GENERAL HUMAN RIGHTS SITUATION SINCE MS. DERIAN'S LAST VISIT, RATHER THINGS ARE INTENSIFYING. THE NUMBER OF DISAPPEARED CONTINUES TO RISE AND DETENTIONS CONTINUE, E.G. PEREZ ESQUIVEL. THEY SEE SIGNS THAT THE HIGHEST AUTHORITIES EITHER CAN'T OR DON'T WISH TO MODIFY THE SITUATION. THEY SAID THERE IS GROWING PUBLIC DISCONTENT WITH THE GOVERNMENT. PEOPLE ARE LOSING THEIR FEAR AND GOING TO THE COURTS TO PRESENT CASES AGAINST THE PUBLIC FORCES FOR MURDER, TORTURE AND DETENTION. THEY SAID THERE ARE NO MORE MILITARY ENCOUNTERS WITH GUERRILLAS BUT THERE ARE INCIDENTS SET-UP TO LOOK LIKE ENCOUNTERS DESIGNED TO KILL PRISONERS. THEY SAID THE ASSEMBLY HAS HAD SOME SUCCESS TO DATE BECAUSE IT HAS WORKED RESPECTFULLY AND DISCRETELY THROUGH LEGAL CHANNELS.

3. MS. DERIAN ASKED ONE MEMBER, DR. MIGNONE, FOR HIS PERSONAL OPINION ON WHETHER THE GOVERNMENT WAS ABLE TO CONTROL THE SITUATION. HE RESPONDED THAT, LIKE THE SORCERER'S APPRENTICE, THE GOVERNMENT HAS SET A ~~NEW~~ SECURITY APPARATUS INTO MOTION AND IT COULD NOT NOW CONTROL IT. HE CITED THE KIDNAPPING OF AMBASSADOR HIDALGO SOLA, THE ATTACK ON FOREIGN MINISTER GUZETTI AND THE DISAPPEARANCE OF

FERNANDEZ PONDAL OF ULTIMA CLAVE AS EXAMPLES OF INTERNECINE CLASHES BETWEEN MODERATE AND FAR RIGHT ELEMENTS IN THE ARMED FORCES.

4. MS. DERIAN EXPRESSED CONCERN THAT IF A DISPUTE AT THE TOP WERE TO BE FOUGHT OUT AS TERRORISM WAS FOUGHT, THE PEOPLE WOULD BECOME IRRELEVANT VICTIMS OF THE COMBAT. SHE SAID WHEN SHE WAS LAST IN ARGENTINA THERE WAS A CONSENSUS THAT WHILE THE CURRENT GOVERNMENT WAS NOT ~~XXXX~~ IDEAL, THERE WAS NO ALTERNATIVE IN SIGHT. SHE SAID HER IMPRESSION NOW WAS THAT PEOPLE FELT THEY MUST CHOOSE SIDES WITHIN THE GOVERNMENT. SHE ASKED WHAT THEY PREDICTED WOULD COME OUT OF AN INTER-GOVERNMENTAL DISPUTE.

5. ONE MEMBER SAID THAT THE U.S. MUST DISTINGUISH BETWEEN THE GOVERNMENT AND THE PEOPLE, I.E. THAT THE STEPS THE U.S. TOOK WITH REGARD TO ARMS COULD BE CORRECT BUT THE EFFECT ON THE PEOPLE OF SIMILAR ECONOMIC STEPS SHOULD BE CONSIDERED. HOWEVER, EXTERNAL PRESSURES WELL THOUGHT OUT AND DIRECTED COULD HELP PUSH THE GOVERNMENT IN A CERTAIN DIRECTION, ~~INTERNECINE~~ INTERNECINE DESPITE ~~INTERNECINE~~ PROBLEMS. HE SAID NO ONE CARES ABOUT ARMS BUT ECONOMIC STEPS COULD LEAD TO A GROWTH OF ANTI-AMERICANISM. ANOTHER MEMBER DIFFERED, SAYING THAT THE U.S. IS ENJOYING GREATER POPULARITY TODAY IN ARGENTINA THAN IT HAS FOR MANY YEARS AND U.S. ACTIONS DESIGNED TO PROMOTE HUMAN RIGHTS, INCLUDING NEGATIVE ACTION IN THE INTERNATIONAL BANKS, IS SEEN IN A POSITIVE LIGHT.

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6. THE GROUP CONCURRED THAT THE U.S HUMAN RIGHTS POLICY WAS POPULAR. RETURNING TO MS. DERIAN'S QUESTION, IT WAS AGREED THAT A DIFFERENCE EXISTED BETWEEN MEMBERS OF THE GOVERNMENT AND THAT THE ASSEMBLY BACKS ~~X~~ THE MODERATE GROUP TO WHICH VIDELA BELONGS. ONE MEMBER SAID ~~THE~~ THE VIDELA GROUP IS WEAKER AT PRESENT AND ALL PRO-HUMAN RIGHTS GROUPS INSIDE AND OUTSIDE OF ARGENTINA MUST MOVE FIRMLY AHEAD.

7. THE GROUP MENTIONED THAT THERE WAS SOME PROBLEM WITH APPARENT AN ~~APPARENT~~ LACK OF CONSISTENCY IN THE U.S POLICY, KOREA WAS CITED AS AN EXAMPLE. MS. DERIAN EXPLAINED THAT WE ARE TALKING TO PEOPLE EVERYWHERE AS WE WERE HERE.

8. RETURNING TO ARGENTINA IT WAS OBSERVED THAT THE GOVERNMENT IS NOT RESPECTING ITS OWN LAWS. MS. DERIAN ASKED IF THE GROUP THOUGHT THAT THE RIGHT OF OPTION TO SELF EXILE WOULD BE REINSTATED. ONE MEMBER SAID THIS WOULD SERVE AS A GREAT ESCAPE VALVE, STATING THAT ONLY A FEW OF THOSE DETAINED ~~ARE~~ ARE TERRORISTS AND ~~THE~~ THE GOVERNMENT COULD DENY THE RIGHT OF OPTION TO THEM. THE PROBLEM WITH THE RIGHT OF OPTION IS THAT IT FORCES THE GOVERNMENT TO ACCUSE PEOPLE. THE GROUP INSISTED THE DIRTY WAR MUST END, LISTS OF THE DETAINED MUST BE PUBLISHED.

9. ~~IN~~ MS. DERIAN INDICATED AGREEMENT BUT SAID SHE FEARED THE GOVERNMENT LACKED THE SELF-CONFIDENCE NEEDED. SHE SAID

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THE ASSEMBLY MUST USE TACTICS WHICH WOULD AVOID BACKLASH. A GROUP MEMBER EXPRESSED CONCERN WITH THE RECENT DISAPPEARANCE OF JOURNALISTS AND A RECENT JUDGEMENT AGAINST A 17 YEAR OLD OVERTURNED BY THE SUPREME COURT. ANOTHER MEMBER SUGGESTED THE GOVERNMENT MIGHT GIVE THE RIGHT OF OPTION TO THOSE UNDER OFFICIAL DETENTION NOW WHO ARE NOT CONSIDERED EXTREMELY DANGEROUS AND PUT ALL OTHERS DETAINED INTO PUBLIC JAILS. MS. DERIAN SPECULATED THAT THERE ARE PROBABLY PEOPLE WHO HAVE SUFFERED SUCH SEVERE TRAUMAS THAT THE GOVERNMENT COULDN'T AFFORD TO LET THEM OUT.

10. ~~IN~~ ONE GROUP MEMBER SPECULATED THAT THE RECENT ~~RECENT~~ ACTION OF THE COURTS IS A HOPEFUL SIGN AND SHOWS AN INTEREST IN A DEMOCRATIC SOLUTION. HE SAID THE ASSEMBLY IS INTERESTED IN STIMULATING ALL THAT CAN LEAD TO ~~THE~~ NORMALIZATION AND THE ~~XXXXX~~ DIALOGUE WHICH VIDELA HAS CALLED FOR.

11. THE GROUP THANKED MS. ~~E~~ DERIAN SAYING THEY WERE IMPRESSED BY THE CLARITY WITH WHICH SHE SAW THE SITUATION. THEY ASSURED HER THAT THEY WOULD OVERCOME THE DIFFICULTIES AND THAT A COUNTRY WITH THE VALUES OF ARGENTINA COULDN'T BE STOPPED.

12. MS. DERIAN PRAISED THE PERMANENT ASSEMBLY SAYING IT WAS THE HOPE OF THE COUNTRY. SHE SAID THAT ARGENTINA HAD EVERYTHING GOING IN ITS FAVOR AND IF IT WAS POSSIBLE TO OVERCOME REPRESSION ANYWHERE, SURELY IT WAS POSSIBLE IN ARGENTINA.

HIGGINS

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Classification

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2030

DEPARTMENT OF STATE TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

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E.O. 11652:

TAGS:

SUBJECT:

GDS

SHUM, PFOR, ARX, PINS

DERIAN VISIT WITH ADMIRAL MASSERA

ACTION:

SECSTATE WASHDC PRIORITY

INFO:

AMEMBASSY ASUNCION

AMEMBASSY BRASILIA

AMEMBASSY LA PAZ

AMEMBASSY MONTEVIDEO

AMEMBASSY SANTIAGO

CHARGE

POL-3

POL/R

USIS

ECON

CONS

SY

DAO

LEGATT

MILGP

RF

CHRON

~~CONFIDENTIAL~~ BUENOS AIRES: 6644

~~NOTAK~~

REF: (A) BUENOS AIRES 6221 (B) STATE 192822

1. AT HIS REQUEST, U.S. COORDINATOR FOR HUMAN RIGHTS.

PATT DERIAN MET WITH JUNTA MEMBER MASSERA ON MORNING OF

AUGUST 10. THE ADMIRAL STRESSED THAT ARGENTINA WAS IN

THE PROCESS OF RETURNING TO NORMAL LEGAL PROCEDURES AND

THAT MUCH PROGRESS HAD BEEN MADE SINCE MS. DERIAN'S

LAST VISIT. MRS. DERIAN EXPRESSED HER HOPE THAT

NORMALIZATION COULD BE ACCOMPLISHED SOON AND IN SUCH A

WAY THAT ALL LEVELS OF THE SECURITY APPARATUS WOULD

UNDERSTAND IT.

2. THE ADMIRAL STARTED THE CONVERSATION BY STRESSING

THAT PROGRESS WAS BEING MADE IN CONTROLLING THE

DRAFTED BY

D/HA:MBova:eg

CLEARANCES:

POL:FAHarris

~~XXXXXXXXXX~~

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9/6/77

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CLASSIFICATION

OPTIONAL FORM 152 (H)
(Formerly PG-41) (11)
January 1, 1975
Dept. of State

SITUATION. WHILE NOTING THAT FALSE INFORMATION CIRCULATES, AND SOME INCIDENTS CONTINUE TO OCCUR ("SOME GROUPS STILL ESCAPE US") HE STRESSED THAT THE END WAS IN SIGHT. MRS. DERIAN EXPRESSED HER HOPE THAT THIS WAS THE CASE AND NOTED TWO THINGS OF PARTICULAR CONCERN TO THE USG: (1) THE LARGE NUMBER OF DISAPPEARED AND (2) THE CONDITIONS OF BEING HELD INCOMMUNICADO WHERE PEOPLE ARE TREATED TOO HARSHLY. SHE SAID SHE HOPED NEW PROCEDURES WILL BE INTRODUCED.

3. ADMIRAL MASSERA SAID HE DID NOT KNOW WHAT NUMBERS PRESIDENT VIDELA OR ADMIRAL ALLARA HAD PROVIDED REGARDING THE NUMBER OF PEOPLE CHARGED OR TAKEN ILLEGALLY BUT HE SAID THE LAST FEW MONTHS SHOWED RAPID PROGRESS. HE EXPLAINED THAT THE ARGENTINE ARMY WAS SOMEWHAT DIFFERENT FROM OTHERS IN THAT ITS ORGANIZATION CONTAINED CORPS COMMANDERS WHO HAD SOME INDEPENDENCE ADMINISTERING INTERNAL SECURITY BUT SAID THAT THIS DID NOT MEAN THAT PRESIDENT VIDELA WAS NOT IN CONTROL. HE ADVISED THAT THERE COULD BE A DIFFERENCE BETWEEN THE IMPRESSION RECEIVED OF THE CURRENT SITUATION AND THE ACTUAL REALITY.

4. MRS. DERIAN EXPRESSED HER CONCERN OVER THE NUMBER OF PEOPLE WHO DON'T KNOW IF MEMBERS OF THEIR FAMILY ARE DEAD OR ALIVE. SHE MENTIONED THAT LABOR LEADERS AND OTHERS HAVE BEEN IN JAIL SINCE 1975. SHE SAID THAT THE LEGAL SYSTEM SEEMS TO HAVE GROUND TO A HALT, E.G., PEOPLE WERE PICKED UP AND NEVER CHARGED, SOME WERE HELD WITH NO EVIDENCE AGAINST THEM, SOME WERE TRIED AND FOUND INNOCENT BUT STILL DETAINED. SHE EXPLAINED THAT

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Classification

OPTIONAL FORM 153A
(Formerly FS-413A)
January 1975
Dept. of Stat

AFTER A PERIOD OF TIME THE GOVERNMENT, HAVING WON THE FIGHT AGAINST TERRORISM, SHOULD SHOW ITS STRENGTH BY SAYING TO THE PEOPLE THAT IT HAS WON BUT IT NEEDS HELP IN THIS MOP-UP PHASE. SHE SAID THE TERRORISTS ACHIEVE THEIR MAIN OBJECTIVE OF DESTROYING THE LEGAL INSTITUTIONS OF THE STATE IF THE GOVERNMENT DOESN'T ADMIT IT HAS WON THE WAR AND MUST NOW RETURN TO THE JUDICIAL SYSTEM BY BRINGING THOSE DETAINED TO TRIAL. SHE CITED THE CASE JACOBO OF ~~XXXXXX~~ TIMMERMAN AS AN EXAMPLE, ADDING HE HAS BEEN MISTREATED WHILE UNDER DETENTION. ADMIRAL MASSERA SAID HE DIDN'T BELIEVE TIMMERMAN HAD BEEN MISTREATED ALTHOUGH HE MAY HAVE SAID HE HAS BEEN.

5. RETURNING TO THE GENERAL SITUATION, MRS. DERIAN SAID THAT MANY PEOPLE IN THE ARGENTINE GOVERNMENT HAD TOLD USG REPRESENTATIVES THAT THE NAVY IS RESPONSIBLE FOR ABUSES WHICH OCCUR WHEN PEOPLE ARE TAKEN INTO CUSTODY AND INTERROGATED BEFORE THEY ENTER THE SYSTEM. ADMIRAL MASSERA RESPONDED THAT, WHILE HE DOESN'T WISH TO GIVE THE APPEARANCE OF "WASHING HIS HANDS OF THE MATTER," INTERNAL SECURITY IS NOT THE NAVY'S RESPONSIBILITY, THAT THE NAVY HAS VIRTUALLY NO BUENOS AIRES ~~XXXXXXXXXX~~ JURISDICTION AND WHEN IT DOES DO SOMETHING IN THIS AREA IT DOES SO WITH THE KNOWLEDGE OF THE ARMY. HE SAID THAT THOSE WHO SAY OTHERWISE ARE TRYING TO DECEIVE. MRS. DERIAN SAID THAT ON HER PRIOR VISIT SHE HAD BEEN TOLD ~~XXXXXXXXXXXX~~ THAT ONE OF THE WORST INTERROGATION CENTERS

WAS THE NAVY MECHANICAL SCHOOL IN BUENOS AIRES. THE ADMIRAL DENIED THIS, SAYING THAT THE NAVY'S ENTIRE ANTI-SUBVERSIVE ROLE WAS CARRIED OUT BY NO MORE THAN THIRTY PEOPLE.

6. MRS. DERIAN SAID THAT WHEN SHE WAS IN ARGENTINA BEFORE THERE WAS A GENERAL ATTITUDE THAT THE WAR AGAINST TERRORISM WAS COMING TO AN END BUT WAS NOT REALLY OVER. THIS TIME SHE GOT THE DISTINCT IMPRESSION THAT EVERYONE CONCLUDES THE WAR IS NOW OVER AND THE GOVERNMENT HAS NOW REACHED THE EQUALLY DIFFICULT PHASE OF GETTING BACK TO NORMAL DEMOCRATIC PROCEDURES. SHE ADVISED THAT THE PEOPLE BECOME IMPATIENT IF THIS PHASE TAKES TOO LONG TO CARRY OUT. SHE MENTIONED THAT SHE HAD DISCUSSED THIS PROBLEM WITH THE MINISTER OF ECONOMY AND THAT HE GAVE HER THE IMPRESSION THAT HE, TOO, WAS WORRIED ABOUT TIME. SHE REFERRED TO THE LEGISLATION PASSED IN THE U.S. CONGRESS WHICH SETS A ONE YEAR TIME LIMIT ON CONTINUING CERTAIN RELATIONSHIPS WHICH WE HAVE WITH ARGENTINA. SHE SAID THAT INTERNATIONAL OPINION WAS BECOMING MORE AND MORE CRITICAL OF THE HUMAN RIGHTS SITUATION IN ARGENTINA AND SAID IT WOULD BE DEVASTATING IF ARGENTINA BECAME THE NEXT CHILE IN THE EYES OF THE INTERNATIONAL COMMUNITY. MRS. DERIAN EXPLAINED THAT SHE THINKS THERE ARE PEOPLE OF GREAT INTEGRITY IN THE GOVERNMENT WHO HOLD THE SAME VALUES THAT BOTH OUR CONSTITUTIONS INSCRIBE FOR OUR CITIZENS AND THAT SHE FEELS VERY UNHAPPY THAT THERE IS SUCH A DIFFERENCE BETWEEN THEORY AND PRACTICE.

7. THE ADMIRAL RESPONDED THAT, WHILE HE COULDN'T TALK OF A TIME PERIOD, THAT HE HAD NO CRYSTAL BALL WITH WHICH TO PREDICT, ARGENTINA WAS ON THE ROAD TO NORMALIZATION. HE ADMITTED THAT IN ROUGH THE ~~MOVEMENT~~ BATTLE AGAINST TERRORISM SOME THINGS GOT OUT OF HAND, BUT THAT THERE HAS BEEN REAL IMPROVEMENT SINCE MARCH. HE REFERRED TO ONE OF HIS OFFICERS ESPECIALLY DESIGNATED TO RECEIVE PEOPLE LOOKING FOR THEIR RELATIVES AND SAID HIS CASE LOAD HAS DROPPED MARKEDLY.

8. MRS. DERIAN REFERRED TO THE RECENT CASE OF THE LAWYERS AND THEIR WIVES WHO HAD BEEN KIDNAPPED AND THE CASE OF THE ARGENTINE AMBASSADOR TO VENEZUELA. ADMIRAL MASSERA SAID THE AMBASSADOR'S CASE WAS CLEARLY POLITICAL, THAT HE KNEW SOME PEOPLE BLAMED THE NAVY FOR IT, BUT THAT SOMETHING ELSE WAS INVOLVED, PERHAPS, A LEFTIST GROUP TRYING TO MAKE TROUBLE FOR THE GOVERNMENT. HE SAID HE DOESN'T BELIEVE THAT ONE OF THE GOVERNMENT'S FORCES OUT OF CONTROL IS RESPONSIBLE, AS THIS WOULD GO AGAINST THE GOVERNMENT AND DOESN'T MAKE SENSE.

9. MRS. DERIAN SAID THAT BECAUSE OF THE DISORDER SO MANY CAN OPERATE THINKING THEY HAVE THE APPROVAL OF EITHER THE GOVERNMENT OR THE PEOPLE, THAT THE LEFT WING HAS BEEN LICKED BUT A MONSTER CREATED. ADMIRAL MASSERA SAID HE DIDN'T SEE IT THAT WAY. HE SAID THE RIGHT WING IS VERY SMALL IN ARGENTINA AND THE GOVERNMENT HAS TAKEN STEPS, LIKE THE CLOSING OF THE MAGAZINE CABILDO. HE SAID THE RIGHT EXISTS ONLY AS A POLITICAL FORCE. MRS. DERIAN MENTIONED THAT THE INCIDENT AGAINST THE

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LAWYERS COULDN'T HAVE OCCURRED WITHOUT SOME OFFICIAL SUPPORT.

ADMIRAL MASSERA ASKED WHAT PRESIDENT VIDELA HAD TOLD HER ABOUT THIS INCIDENT AND, WHEN SHE RESPONDED THAT THEY HADN'T DISCUSSED IT, HE SAID THAT INCIDENTS SUCH AS IT COULD BE COUNTED ON THE FINGERS OF YOUR HAND.

10. MRS. DERIAN ASKED WHAT THE CHANCES WERE FOR EITHER A COMPLETE OR PARTIAL REINSTATEMENT OF THE RIGHT OF OPTION. ADMIRAL MASSERA EXPLAINED THAT THIS CONSTITUTIONAL RIGHT HAD BEEN SUSPENDED FOR SIX MONTHS, THAT THIS TIME WAS NEARLY UP, AND THAT THE THOUGHT WAS TO REINSTATE IT. HE EXPLAINED THAT IN THE BEGINNING MANY PEOPLE WERE UNDER EXECUTIVE JUDGMENT AND IT WAS DIFFICULT TO CLARIFY CASES. HE EXPRESSED A DESIRE TO GET CASES MOVING AND BROUGHT TO TRIAL SO THAT THERE COULD BE RELEASES AND A RESTORATION OF THE RIGHT OF OPTION. HE ASKED MRS. DERIAN TO MAINTAIN AN EQUILIBRIUM REALIZING THAT WHILE THESE CASES WERE IMPORTANT, THEY WERE OLD AND FEW AND THE JUNTA WAS ON THE ROAD TO NORMALIZATION.

11. MRS. DERIAN SAID SHE HAD THE SENSE BUT WAS WORRIED ABOUT UNCERTAINTY AMONG LOWER GRADE OFFICIALS AND WONDERED WHETHER WHEN THE CHANGES COME THEY WOULD BE DIRECT AND CLEAR SO THAT PEOPLE WON'T FEEL THEMSELVES IN JEOPARDY AND THE PROCESS OF LOCATING THE DISAPPEARED WILL BE ENHANCED RATHER THAN HURT. ADMIRAL MASSERA SAID THE GOVERNMENT COULD, AT LEAST, PUBLISH A LIST IN THE NEWSPAPERS OF ALL THE PEOPLE IT HAS STATING IT

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DOESN'T KNOW WHAT HAS HAPPENED TO OTHERS. HE SAID THE LIST WOULDN'T BE LONG, THAT SOME LISTS ARE BEING PUBLISHED AND THAT WHILE MANY HAVE BEEN BROUGHT TO TRIAL HE REALIZES THERE ARE SOME IN A GREY ZONE AND THAT THIS HURTS THE GOVERNMENT.

12. MRS. DERIAN ENDED BY REFERRING TO THE HABEAS CORPUS PETITIONS SUBMITTED TO THE EXECUTIVE BY THE SUPREME COURT SAYING IT WAS MUCH ON PEOPLES MINDS AND THAT SHE WOULD BE GLAD WHEN ALL THIS WAS OVER. SHE SAID THAT THE REINSTATEMENT OF LEGAL PROCEDURES WOULD CERTAINLY HELP RELATIONS BETWEEN OUR TWO COUNTRIES AND STRESSED THAT WE WERE ANXIOUS TO RETURN TO NORMAL GOOD RELATIONS.

HIGGINS 

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DEPARTMENT OF STATE TELEGRAM

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E.O. 11652:

GDS

TAGS:

SHUM, PFOR, AR, PINS

SUBJECT:

HUMAN RIGHTS COORDINATOR MEETINGS WITH FOREIGN MINISTRY GROUP

ACTION:

SECSTATE WASHDC PRIORITY

INFO:

AMEMBASSY ASUNCION

AMEMBASSY BRASILIA

AMEMBASSY LA PAZ

AMEMBASSY MONTEVIDEO

AMEMBASSY SANTIAGO

~~CONFIDENTIAL~~ BUENOS AIRES 6716

CHARGE

POL-3

POL/R

USIS

ECON

CONS

SY

DAO

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MILGP

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CHRON

1. SUMMARY: Mrs. Derian met with the Foreign Ministry's working group on three occasions, the second meeting being held at their request. The Foreign Minister was present at the beginning of the first session and at the end of the third, hosting the lunch which followed it. The theme reiterated by the group was their desire that Mrs. Derian clearly understand the Argentine situation and they repeatedly offered to do all they could to clarify matters. Mrs. Derian expressed hope with the signs of progress they described, wondered if this attitude was clearly understood at all levels of the Government, and cautioned that time was limited and the Government should demonstrate its strength to the people

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of Argentina and the world now by acting openly and in accord with its traditional legal values. END SUMMARY.

2. ~~1st~~ First working group meeting, August 8. This meeting was preceded by a meeting between Mrs. Derian and the Foreign Minister, with a few others present. Mrs. Derian asked Foreign Minister Montes: (1) How habeas corpus pleas were proceeding, (2) How Mr. Timmerman's case was coming, referring to her concern over his health, and (3) What progress was being made in reinstituting regular procedures for those under detention. The Minister responded by saying he would like to provide maximum information and asked if Mrs. Derian would like to see anyone in person in order to have a complete picture of the situation because, if so, ~~W~~ he would arrange it. Mrs. Derian asked for time to think over the latter proposal.

3. Mrs. Derian stressed the U.S. desire to return to the extra good feeling which had typified good relations between our two countries, noted the seriousness of the threat which had faced Argentina, observed that the Government has essentially broken the back of the subversives, encouraged a demonstration of strength at this time by returning to normal legal procedures, suggested publishing a list of the "disappeared" about whom the Government had knowledge and cautioned that the public support given the Government in a time of emergency would not continue ~~indefinitely~~ indefinitely.

4. THE FOREIGN MINISTER AGREED THAT SUBVERSION HAD BEEN DESTROYED, SAID THAT WHILE HE HAD NO CRYSTAL BALL THE SITUATION WOULD BE UNDER CONTROL IN A SHORT TIME, STRESSED THAT PROGRESS HAS BEEN MADE AND EXPRESSED THE DESIRE THAT RELATIONS STAY GOOD BETWEEN THE U.S. AND ARGENTINA AND THE SOUTHERN CONE COUNTRIES.

5. THE WORKING GROUP SESSION STARTED WITH THE FOREIGN MINISTRY GROUP DESCRIBING U.S./ARGENTINE DISCUSSIONS AS BEING CONSTRUCTIVE TO DATE. AS A DEMONSTRATION OF THEIR DESIRE TO PROVIDE MRS. DERIAN WITH ALL AVAILABLE INFORMATION, SHE WAS GIVEN A BOOK WHICH SHE WAS ASKED TO CONSIDER CONFIDENTIAL. IT WAS STRESSED THAT WHILE MUCH PROGRESS HAS BEEN MADE, PROBLEMS CONTINUE AND THE U.S. WAS ASKED TO BE PATIENT AND UNDERSTANDING. THE ARMED FORCES HAD NOT ONLY INHERITED A SITUATION OF SUBVERSION BUT ALSO ONE OF POLITICAL CHAOS. MRS. DERIAN SUGGESTED THAT IT MIGHT BE USEFUL TO SEND THEORISTS TO OTHER COUNTRIES TO STUDY POLITICAL ORGANIZATION AND OFFERED U.S. ASSISTANCE. THE RESPONSE WAS THAT PART OF ARGENTINA'S PROBLEM WAS THE TENDENCY TO OVER ANALYZE AND INCORPORATE FOREIGN IDEAS.

6. MRS. DERIAN SAID SHE HAD FORGOTTEN TO ASK THE FOREIGN MINISTER ABOUT THE RIGHT OF OPTION AND WONDERED IF THERE WERE PLANS TO RESTORE SOME ASPECTS OF IT. COL. SULLIVAN OF THE MINISTRY OF INTERIOR RESPONDED THAT, WHILE NOT YET APPROVED, THE PROPOSAL FOR FULL RESTORATION WAS BEING STUDIED. HE ADDED THAT WHILE FORCES TO THE RIGHT AND LEFT ARE TRYING TO

BLOCK PROGRESS, THE GOVERNMENT IS PROGRESSING AND HE SAID THAT THE BOOK GIVEN MRS. DERIAN DESCRIBES STEPS BEING TAKEN.

7. THE DISCUSSION THEN RETURNED TO THE BOOK WHICH WAS SAID TO ANSWER THE QUESTIONS WHICH ALWAYS ARISE IN DISCUSSIONS WITH THE USG, I.E., INFORMATION AND LISTS ON THE NUMBER AND NAMES OF DETAINED, A SHORT EXPLANATION OF THE POWERS AND CIRCUMSTANCES UNDER WHICH THE GOVERNMENT IS OPERATING, A LIST OF DISCIPLINARY ACTIONS TAKEN AGAINST THOSE ABUSING AUTHORITY (A SEPARATE LIST MARKED SECRET NAMING INDIVIDUALS SO DISCIPLINED WAS SHOWN BUT NOT GIVEN TO MRS. DERIAN), STATISTICS ON TERRORIST ACTS.

8. AT THIS POINT DISCUSSION WAS DIVERTED FROM THE BOOK WHILE THE FOREIGN MINISTRY REPRESENTATIVES LAMENTED THE FACT THAT TERRORIST ACTS DON'T RECEIVE THE SAME PUBLICITY WHICH GOVERNMENT ACTS DO. MRS. DERIAN AGREED, SAYING THIS IS SO BECAUSE PEOPLE EXPECT A STATE TO REACT IN A LEGAL WAY AND WHEN IT EMPLOYS METHODS USED BY TERRORISTS IT LOSES PUBLIC SYMPATHY. THE COUNTER RESPONSE WAS THAT, WHILE THE GOA DID NOT USE TERRORIST METHODS IT WAS FORCED TO RESORT TO EXTRAORDINARY MEASURES IN THE FIGHT AGAINST SUBVERSION, BUT THAT EXCESSES WERE PUNISHED. THEY SPECULATED ON HOW THE U.S. WOULD REACT IN A SIMILAR SITUATION AND CITED ACTIONS TAKEN RECENTLY IN RESPONSE TO THE AFTERMATH OF THE NEW YORK BLACKOUT. THEY WONDERED HOW WE WOULD REACT TO PUBLIC CRITICISM FROM THE GOA. MRS. DERIAN RESPONDED BY NOTING THAT NO ONE HAS REALLY STUDIED THE PROBLEM OF HOW TO REACT TO ALL OUT TERRORISM AND

THAT THE INSTINCTIVE APPROACH SEEMS TO BE TO FIGHT FIRE WITH FIRE. SHE HOPED WE COULD LEARN FROM THE EXPERIENCES OF OUR NEIGHBORS AND NOTED THAT THE INTERESTING THING ABOUT THE NEW YORK INCIDENT WAS THE GREAT EFFORT WHICH WAS MADE TO USE NORMAL PROCEDURES. SHE NOTED THAT THE PROCESS WAS OPEN AND WIDELY PUBLICIZED. SHE ADMITTED THAT THE U.S. HAD MANY PROBLEMS AND DESCRIBED HER OWN PREVIOUS WORK IN THE FIELD OF CIVIL RIGHTS, AND NOTED THE MANY GROUPS, INSIDE AND OUTSIDE OF THE U.S. GOVERNMENT WHICH WORK FOR CIVIL LIBERTIES. SHE SAID THE U.S. ~~GOVERNMENT~~ WOULD HAVE ITS OWN WEAKNESSES OPEN TO PUBLIC VIEW AT THE BELGRADE CONFERENCE AND WILL WORK TO CORRECT ITS FAULTS. SHE SAID THAT WHILE SHE INTENDED TO EXERCISE DISCRETION WITH REGARD TO PUBLIC STATEMENTS ON ARGENTINA THERE IS NO WAY WE COULD OR WOULD WISH TO GAG THE FREE PRESS.

9.- THE GROUP AGREED WITH MRS. DERIAN AND POINTED TO SIGNS OF OPENESS IN ARGENTINE SOCIETY SUCH AS THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS, THE LEAGUE FOR HUMAN RIGHTS, STATEMENTS BY POLITICAL PARTY REPRESENTATIVES, AND THE COMMUNIQUE OF THE BISHOPS. THEY SAID THE GOVERNMENT WAS OPEN TO STATEMENTS FROM RESPECTABLE GROUPS OF SUFFICIENT STANDING BUT THEY CRITICIZED MALINTENTIONED INFORMATION PUT OUT BY SUBVERSIVES AS PART OF AN INTERNATIONAL PRESS CAMPAIGN AGAINST THE GOA. THEY EXPRESSED CONCERN WITH WITNESSES HEARD BY THE FRASER SUBCOMMITTEE AND THE USG RECEPTION OF SOLARI IRRIGOYEN. THEY

SAID THE GOA WELCOMES THE EXPRESSION OF DIFFERENT POINTS OF VIEW AND REFERRED TO GOVERNMENT OFFICES, SUCH AS ONE IN THE MINISTRY OF INTERIOR OPEN TO RECEIVE COMPLAINTS AND ANSWER QUESTIONS FROM THE PUBLIC.

10. MRS. DERIAN ASKED WHAT THE GOVERNMENT HAD DONE TO PROTECT THE LOCAL REPRESENTATIVE OF THE AMERICAN JEWISH COMMITTEE WHO WAS THREATENED BY RIGHT WING ANTI-SEMITIC GROUPS. THE RESPONSE WAS THAT THEY REGRETTED THAT THEY HADN'T BEEN INFORMED OF THE THREATS AND HAD COMMUNICATED WITH HIM SINCE AND WERE PROTECTING HIS OFFICE AND HOME AND ALLOWING THE AMERICAN JEWISH COMMUNITY TO RECOVER ITS RECORDS. THE DISCUSSION THEN TURNED TO THE GENERAL PROCESS FOR PROTECTING CITIZENS. MRS. DERIAN ASKED HOW LONG A PERSON WAS DETAINED BEFORE HIS NAME WAS MADE PUBLIC. THE RESPONSE WAS THAT AN OFFICIAL ORDER INSTRUCTS ALL SECURITY FORCES TO SUBMIT NAMES OF THOSE DETAINED TO THE MINISTRY OF INTERIOR WITHIN 10 DAYS OF CAPTURE. (ALTHOUGH A SHORT EXTENSION CAN BE REQUESTED FOR CAUSE IN EXCEPTIONAL CIRCUMSTANCES.) THE NAMES OF THOSE DETAINED ARE PUBLISHED UPON RECEIPT. IF NAMES ARE NOT PROVIDED IN 10 DAYS THEN THERE IS NO GUILT AND THE SUSPECT IS FREED. A SOCIAL REHABILITATION PLAN FOR PRISONERS IDEOLOGICALLY OPPOSED TO THE GOVERNMENT WAS DESCRIBED AS A FURTHER INDICATION OF PROGRESS BEING MADE.

11. THE CLASSIFIED BOOK GIVEN MRS. DERIAN WAS SAID TO LIST ALL THOSE DETAINED WITH JUDICIAL PROCEDURE AND ALL THOSE DETAINED

AND CHARGED UNDER THE STATE OF SIEGE. IN ADDITION THE NAMES OF ALL THOSE TAKEN LATELY WHETHER CHARGED OR UNCHARGED, WERE SAID TO BE INCLUDED. IT WAS REITERATED THAT THE GOA, LIKE OTHER GOVERNMENTS, COULD NOT ACCOUNT FOR ALL PEOPLE WHO DISAPPEAR IN THE COURSE OF A YEAR AND ESTIMATED THAT LESS THAN 500 PEOPLE ARE BEING HELD BY EXECUTIVE POWER WITH A TOTAL OF SOME 2029 BEING HELD UNDER SOME KIND OF CHARGE. IT WAS ~~WAS~~ REITERATED THAT IT WAS LEGAL IN ARGENTINA TO HOLD SOMEONE INCOMMUNICADO FOR TEN DAYS. MRS. DERIAN EXPRESSED CONCERN FOR THE TREATMENT OF PRISONERS DURING THIS TIME PERIOD. THE RESPONSE WAS THAT TORTURE IS NOT USED AS A NORMAL WAY OF OBTAINING INFORMATION AND WHERE IT WAS KNOWN TO HAVE BEEN USED, SANCTIONS HAVE BEEN APPLIED. THE MINISTRY GROUP STRESSED THAT ARGENTINE PRISONS ARE OPEN TO THE INTERNATIONAL RED CROSS FOR INSPECTION AND THAT THERE ARE NO MILITARY DETENTION OR CONCENTRATION CAMPS.

12. RETURNING AGAIN TO THE BOOK, PART II WAS DESCRIBED AS CONTAINING THE ARGENTINE POSITION IN THE OAS WITH REGARD TO THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. MRS. DERIAN ASKED IF THE COMMISSION WOULD BE COMING TO ARGENTINA. THE RESPONSE WAS NO BUT THAT THE GOA HAS AND WILL CONTINUE TO TALK TO THE IAHRC AND SEEKS WAYS TO MAKE THIS A SYSTEM OF INTERNATIONAL COOPERATION IN HUMAN RIGHTS AND NOT A METHOD OF IMPOSING SANCTIONS. IT WAS SUGGESTED WE TALK AT LENGTH ABOUT THIS IDEA SOMETIME.

13. MRS. DERIAN ENDED BY REFERRING TO A LETTER FROM THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE INQUIRING ABOUT FELLOW SCIENTISTS IN ARGENTINA AND SAID SHE HAD OTHER LETTERS OF INQUIRY WHICH SHE WOULD EITHER BRING THE NEXT TIME OR SUBMIT VIA THE EMBASSY. (MRS. DERIAN SUBMITTED LETTER TO FONOFF ON AUGUST 9. EMBASSY HAS RECEIVED NO REPLY TO DATE.)

14. SECOND WORKING GROUP MEETING; AUGUST 9.

THIS MEETING SEEMS TO HAVE BEEN CALLED FOR THE PURPOSE OF SHOWING HOW FACTS CAN BE DISTORTED IN THE INTERNATIONAL PRESS. THE ATMOSPHERE WAS CONFRONTATIONAL. MRS. DERIAN WAS TOLD A LONG AND COMPLICATED STORY BY MINISTRY OFFICIAL ARLIA ABOUT THE RECENT DISAPPEARANCE OF A YOUNG SWISS NAMED ALEXIS JACAR. AT THE END OF THE STORY SHE WAS ASKED HOW THE GOA COULD REFUTE THIS INFORMATION. COMPLAINTS WERE ALSO REGISTERED ABOUT OTHER ATTACKS MADE ON THE GOA, SOME IN U.S., AND THE FACT THAT BILATERAL PUNITIVE MEASURES TAKEN AGAINST ARGENTINA LEAD TO CONFRONTATION AND HURT MUTUAL UNDERSTANDING.

15. MRS. DERIAN EXPLAINED THAT WE WERE TRYING VERY HARD TO UNDERSTAND THE ARGENTINE SITUATION BUT THAT THE GOA MUST ALSO UNDERSTAND THAT THE U.S. HAS LEARNED FROM ITS OWN DOMESTIC AND INTERNATIONAL EXPERIENCES THAT IT MUST PURSUE ITS SENSE OF VALUES IN ITS INTERNATIONAL RELATIONS. THIS DECISION HAS BEEN REINFORCED BY THE IDEOLOGICAL DEBATE WITH THE USSR IN WHICH WE HAVE FOR SO MANY YEARS REMAINED SILENT

IN THE FACE OF PUBLIC SOVIET STATEMENTS OF THEIR GOALS AND BELIEFS. SHE EXPLAINED THAT THE USG'S HUMAN RIGHTS POLICY HAS TWO GOALS (1) TO INCREASE THE OBSERVANCE OF HUMAN RIGHTS AROUND THE WORLD, AND (2) TO DISTANCE OURSELVES FROM REPRESSIVE GOVERNMENTS. SHE WARNED AGAINST GETTING INTO LEGALISTIC DISPUTES OVER INDIVIDUAL OCCURANCES IN A WAY WHICH DIVERGES FROM A DISCUSSION OF THE REAL ISSUES AND THE GENERAL GOALS OF OUR FUTURE RELATIONSHIPS. SHE STRESSED ARGENTINA'S STRUGGLE AND COUNSELED THAT NOW WAS THE TIME TO ACT IN AN OPEN AND POSITIVE WAY AND THAT THIS WOULD BE THE BEST POSSIBLE MEANS OF FENDING OFF CRITICISM.

16. THE DEPUTY FOREIGN MINISTER SAID HE UNDERSTOOD MRS. DERIAN'S MESSAGE AND THAT THE GOA SHARED IT. HE SAID THAT THEY HAVE FOUGHT, AND CONTINUE TO FIGHT ARMED AGRESSION, AND SUFFER FROM THE RESIDUAL OF IDEOLOGICAL AGRESSION AGAINST WHICH THEY HAVE NOT TAKEN STEPS. HE SAID THAT ARGENTINA IS NOT A REPRESSIVE COUNTRY; CITING ECONOMIC PROGRESS, HE SAID THAT THE PUBLIC HAS COLLABORATED WITH THE GOVERNMENT, AND HE SAID THAT ~~THE~~ VIOLENCE IS LIMITED TO A SMALL GROUP WHICH SYSTEMATICALLY VIOLATES THE LAW. MRS. DERIAN ASKED IF VIOLENCE WAS NOW COMING FROM THE RIGHT. MINISTRY OFFICIAL ARLIA ANSWERED NO, THAT IT IS STILL COMING FROM THE SAME LEFTISTS AS BEFORE.

17. ~~THE~~ THIRD WORKING GROUP MEETING AUGUST 10.

MRS. DERIAN WAS ASKED TO EVALUATE WHAT SHE HAD LEARNED DURING HER VISIT. ~~WHILE EXPLAINING THAT SHE HAD NOT YET HAD TIME TO~~

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Classification

~~EVALUATE WHAT SHE HAD LEARNED DURING HER VISIT.~~ WHILE EXPLAINING THAT SHE HAD NOT YET HAD TIME TO REFLECT, MRS. DERIAN DESCRIBED THE FOLLOWING IMPRESSIONS TO THE GROUP. SHE SAID SHE WAS HEARTENED BY EARLY STEPS TOWARD (1) REINSTITUTING THE RIGHT OF OPTION, (2) PUBLISHING LISTS OF ALL THOSE DETAINED AND X (3) GETTING THE JUDICIAL PROCESS GEARED UP SO THAT PEOPLE COULD EITHER BE CHARGED OR RELEASED. WHILE NOTING HOPEFUL SIGNS THAT SOME THINGS WERE BEGINNING TO HAPPEN WITH SOME REGULARITY, SHE SAID SHE WAS STILL CONCERNED WITH THE WIDE GAP WHICH SEEMS TO EXIST BETWEEN THEORY AND PRACTICE, E.G., THE TEN DAY INCOMMUNICADO LIMIT COULD BE EXTENDED, AND IN PRACTICE SEEMED INOPERATIONAL, AND THE SUPREME COURT'S INQUIRY REGARDING THE EXECUTIVE BRANCH'S PROCEDURES IN CONSCIENTIOUSLY INVESTIGATING HABEAS CORPUS PETITIONS HAS NOT BEEN ANSWERED YET. SHE SAID SHE FELT AT THE FIRST MEETING THAT THERE WAS MUCH DEFENSIVENESS AND THAT IT WAS HARD TO TALK FRANKLY AND OPENLY. SHE NOTED THAT COMMUNICATIONS HAVE NOW IMPROVED. SHE SAID SHE HAD THE SENSATION THAT THERE WAS A LIMITED TIME PERIOD AVAILABLE. SHE SAID SHE WAS ASSURED THAT MANY OF THE THINGS WHICH HAPPENED EARLY IN THE GOVERNMENT'S RULE WERE NOW VIEWED AS UNNECESSARY AND SOME AS UNWARRANTED AND THAT SINCE MARCH A MOVE TOWARD GREATER REGULARITY AND A DIFFERENCE IN ATTITUDE WAS PREVALENT. SHE SAID THAT PEOPLE WERE NOW WRESTLING WITH THE CONSEQUENCES OF THE PAST, E.G., WHAT TO DO WITH ALL THESE PRISONERS AND

~~XXXXXXXXXXXX~~ HERE SHE NOTED THE DISTRESS OF THE FAMILIES

OF THE PRISONERS AND DESCRIBED SOME OF THE SAD STORIES WHICH FAMILY MEMBERS HAD TOLD HER. SHE SAID THAT A SHADOW HUNG OVER THIS AMICABLE GATHERING, AS IF ARGENTINA WAS A PLACE WHICH HELD A TERRIBLE SECRET. SHE WONDERED IF BELOW THE LEVEL OF THIS GROUP, IF THE OFFICIALS AND THE ARMED SERVICES HAVE A CLEAR UNDERSTANDING OF WHAT THEY ARE SUPPOSED TO DO -- THAT LOWER OFFICIALS SEEMED AFRAID TO GIVE OUT INFORMATION TO FAMILY MEMBERS AND AFRAID TO RAISE OFFICIAL OBJECTIONS TO ABUSES THEY FOUND. IN SUMMARY MRS. DERIAN SAID THAT HER IMPRESSION WAS WHILE SHE SAW GREAT HOPE AND POSSIBILITY ON THE ONE HAND, ON THE OTHER HAND SHE SAW MUCH SADNESS.

18. DEPUTY MINISTER RESPONDED THAT MRS. DERIAN HAS HAD AN OPPORTUNITY TO GATHER MANY IMPRESSIONS IN HER SHORT STAY BUT THAT THE BREVITY OF HER STAY COULD NOT ENSURE THAT THEY ARE BALANCED. HE ASKED HER TO TAKE INTO ACCOUNT THE OPENESS AND COOPERATION OF THE GOA IN MAKING AN EVALUATION OF THE SITUATION. HE SAID THE HUMAN RIGHTS PROBLEM SHOULD BE LIMITED TO ITS PROPER DIMENSIONS AND NOT CONTAMINATE OTHER AREAS OF INTEREST IN OUR BILATERAL RELATIONS, I.E., THAT WHILE HE WAS NOT PRETENDING TO ISOLATE THE HUMAN RIGHTS PROBLEM HE ASKED THAT IT BE KEPT IN CONTEXT WHEN CONSIDERING OTHER PROBLEMS. HE STRESSED THAT ARGENTINA HAD BEEN ENGAGED IN A FIGHT IT HAD NOT CHOSEN AND THAT THE GOVERNMENT SOUGHT TO PRESERVE THE RIGHTS OF THE MAJORITY EVEN THOUGH THIS MEANT
A FEW MUST SUFFER.

19. MRS. DERIAN EXPLAINED THAT THIS IS WHERE WE HAD OUR GREATEST DIFFERENCES. THAT TERRORISTS WERE TRYING TO DO AWAY WITH THE WAY OF LIFE AND DEMOCRATIC PROCEDURES OF GOVERNMENT AND TO FIGHT THEM WITH THEIR OWN TACTICS WAS TO LOSE THE WAR.

HIGGINS



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DEPARTMENT OF STATE TELEGRAM

INDICATE
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☐ CHARGE TO

FROM
AMEMBASSY BUENOS AIRES

CLASSIFICATION
~~CONFIDENTIAL~~

E.O. 11652: GDS
TAGS: SHUM, AR, PINT
SUBJECT: RECENT HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

ACTION: SECSTATE WASHDC ~~XXXXXXXX~~ NIACT IMMEDIATE

INFO: AMEMBASSY ~~CHILE~~ SANTIAGO
AMEMBASSY MONTEVIDEO
AMEMBASSY ASUNCION
AMEMBASSY LA PAZ
AMEMBASSY BRASILIA
AMEMBASSY STOCKHOLM
~~USMISSION GENEVA~~
AMEMBASSY BONN
~~CONFIDENTIAL~~ BUENOS AIRES: 6791

CHARGE
POL-3
POL/R
ADMIN
ECOM
USIS
CONS
LEGATT
DAO
DEA
RF
CHRON

ARA/ECA PLEASE PASS CHAPLIN

SUMMARY. There are several indications of increased official Argentine concern about human rights violations in the country. The series of high-level US visitors here during August considerably raised the Argentine consciousness of these violations and, we believe, heartened public groups and political factions who seek correction of these abuses. Reports ^{here} of President Videla's

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CLEARANCES:

*Harris
Rights file*
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CLASSIFICATION

OPTIONAL FORM 1004-I
(Formerly FS 413-10)
January 1976

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Page 1a of 1

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MEN

visit to Washington, though often couched in assertions that he obtained US "understanding" of Argentina's troubles, point to his own heightened concern and intention do make this concern felt. Even before his visit ~~the~~ classified sources of the Embassy had reported efforts to control free-wheeling security arms and to get control of all security units.

The disappearance of Alfredo Bravo, labor leader and human rights activists, came as a setback in this process equal to that of the disappearance of Ambassador Hidalgo Sola. ~~For~~ Forces inimical to human rights improvement are still without doubt at work. What remains to be seen is the degree to which President Videla can and will oppose these forces, a decision which will be made against a background of continued opposition on the part of many to what will be regarded as "softening" in the war against terrorism and leftist subversion. END SUMMARY

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1. "HUMAN RIGHTS POLITICS." AT THIS POINT WE CAN ONLY SPECULATE ABOUT THE EFFECTS A LONG STRING OF VISITORS FROM THE UNITED STATES WILL HAVE ON ARGENTINE RESOLVE TO CORRECT HUMAN RIGHTS ABUSES. NOR CAN WE PREDICT HOW WELL VIDELA'S ASSERTION MADE IN WASHINGTON THAT ORDER WILL HAVE BEEN RESTORED IN THE COUNTRY BY CHRISTMAS CAN BE MADE A HARD FACT OF ARGENTINE LIFE.

2. ON THE NEGATIVE SIDE WE KNOW THAT CARPING AND COMPLAINT FOLLOWED IN THE WAKE OF VISITS BY MRS. DERIAN, ASSISTANT SECRETARY TODMAN, CODELS YATRON AND HOLLINGS. A SMALL BUT IMPORTANT GROUP OF PEOPLE BELIEVED -- OR PROFESSED TO BELIEVE AS A MEANS OF CRITICIZING PRESIDENT VIDELA -- THAT THE ARGENTINE GOVERNMENT HAD BEEN TOO FORTHCOMING WITH "INSPECTORS" FROM THE UNITED STATES. WE HEARD THAT SUBSECRETARY ALLARA AND OTHERS IN THE FONOFF OPPOSED VIDELA'S TRIP TO WASHINGTON. THESE SENTIMENTS WILL FLOURISH IN HARDLINE CIRCLES, WITHIN AND ON THE FRINGES OF GOVERNMENT, THAT SEEK TO WIDEN THE WAR AGAINST TERRORISM -- FOR EXAMPLE AGAINST "INTELLECTUAL SUBVERSION" -- AND HOLD INTACT THE EXISTING ANTI-TERRORIST APPARATUS. IT APPEARS POSSIBLE THAT THE DISAPPEARANCE OF TEACHERS' UNION LEADER ALFREDO BRAVO (SEE BELOW) RESULTED FROM THIS KIND OF SENTIMENT'S HAVING BECOME ONCE AGAIN "OPERATIONAL".

3. ON THE POSITIVE SIDE WE BELIEVE THAT U.S. ATTENTION HAS STRENGTHENED THE HAND OF ~~THE~~ ARGENTINES CONCERNED OVER HUMAN RIGHTS VIOLATIONS. INCLUDED IN THIS GROUP ARE MILITARY OFFICERS

and members of government troubled by the fact of human rights violations, but even more deeply by the unwholesome political situation certain to accrue if no progress is registered in bringing all destructive forces in the community--of whatever political stripe--under control. Newspapers here gave Videla's pledge wide coverage and also his statement that "my hand will not tremble" in punishing law violators on both left and right. There has been much lately to encourage people of moderate view, and this encouragement will have its own political effect.

4. We weigh all this and come out believing:

1) that President Videla's trip to Wasington and the recent focus of US attention on ~~XXXXXX~~ Argentina will strengthen his hand--as well as his resolve--in getting ^{control} ~~hold~~ of the independently operating security forces, and of regulating counter-terrorist operations to accord with sober threat analysis, and;

2) that hardline elements and any ^{other} Videla opponents will make lively use against the President of any "soft" policy initiatives. Any Videla policy likely to emerge to insure "peace by Christmas" will be

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as politically risky for himself as it will be necessary for the country.

5. Disappearances: Alfredo Bravo. Alfredo Bravo, Secretary General of the National Teachers Union (CTERA) and a leader in the Argentine Permanent Assembly for Human Rights, was taken from his classroom on September 8 by seven men who identified themselves as security officers. The names given by "police" at the time of the kidnapping, along with badge numbers, were later disclaimed by police authorities. ~~as above~~ Bravo had met with the visiting AFL-CIO Solidarity Group in Buenos Aires to maintain contact with the Argentine labor movement, along with colleagues from the Permanent Assembly on Human Rights, the evening of Wednesday, Sept 7. The Embassy has learned from William Doherty, Executive Director for AIFLD, that AFL-CIO is deeply concerned since a possible explanation of the Bravo "disappearance" is that it was an act of retaliation for his having met with the visiting labor leaders. Embassy view is, however, that Bravo's association with the "Permanent Assembly" may have provided motivation for the abduction. Circumstances surrounding the case are reminiscent of those of the

notorious--and still unsolved--Hidalgo Sola disappearing ^{AVT}

6. Deutsch Family Abduction and Detention.

There has been no further news regarding the health ~~of~~ or whereabouts of Alejandro and ~~HELEN~~ Helena Deutsch and their three daughters, taken from their home on August 27, except for the short official government announcement that they were being detained by the Third Army for investigation of possible connection with subversive activities ~~(See)~~. (See Buenos Aires 6629) Embassy is continuing its efforts to facilitate the safe travel of the Deutsch grandchildren Erica and Tomas Alejandro.

7. Human Rights Group Activities.

There appears to be livening activity on the part of public groups here working in human rights interests.

a. The Argentine League for Human Rights. In a precedent making step the League purchased (at a discount), and "LA PRENSA" published in its September/^{2nd} edition, a half page advertisement calling for national government action to resolve the problems of "the disappeareds". Following ^{ad,} up on the ~~xxx~~ the League sent ~~copies~~ to all persons who have registered a disappeared relative ~~with the league~~ ~~xx~~ two draft petitions; one to be signed by family members who have disappeared relatives and the other ^{to be signed by} ~~petition by~~ persons supporting increased government efforts to locate disappeared individuals. The League hopes to provide

[additional information regarding the total number of]
disappearances in the country as well as to assist in
individual cases. The League has requested a meeting
with the military Junta in order to present these
petitions on Mother's Day.

b. Mothers of the Plaza de Mayo. Despite the
detention and release of 16 of their numbers several
weeks ago^{and} (see Buenos Aires 6415) ~~the~~ stepped-up police
surveillance, Plaza Mothers continue to show up on
Thursdays in front of the presidential palace. To avoid
confrontation the mothers have requested that men and
younger women not come to the Plaza on Thursdays, but
older women ~~mothers~~ continue to walk around the Plaza by
twos and threes, trading information, ~~as before~~. They
are no longer allowed to form groups as before but as
one said, "no one can stop an ~~old~~ lady from taking a
walk."

The mothers have prepared a draft petition to the
Junta which was quietly signed at a church in Palermo on
September 10 by 170 mothers of disappeared young people.
A fund raising/campaign is underway in order to have the
petition and the names run as a public advertisement
in LA PRENSA.

c. Permanent Assembly of Human Rights. The
[Permanent Assembly received on September 3 a response]

from President Videla to their August letter asking increased governmental efforts to solve the problem of the numerous disappearances within the country. President Videla's letter was a courteous reply of concern but made no promises. The Assembly plans to pursue this dialogue with the Junta in a continuing effort to focus GOA attention on the disappearance issue.

8. Foreign Governments Human Rights Initiatives.

Swedish Minister Falldin wrote Argentine President Videla in early September to express his concern over an Argentine response to the disappearance of Dagmar Hagelin, a 17-year old girl of Argentine-Swedish citizenship. Falldin pointed out that he was dissatisfied that the Argentine Government had not been able to explain the circumstances surrounding Hagelin's disappearance despite the fact that seven months had passed.

According to an officer of the German Embassy, the Federal Republic of Germany, in response to the death of FRG national Elizabeth Kasemann, decided earlier this summer not to increase a German "EXIM" type loan guarantee program for Argentina. With the expanding Argentine economy, a substantial increase in commercial loan guarantee funds for Argentina had been programmed for next year, but at the urging of the ^{German} ~~Argentine~~ Embassy here and reportedly after a major bureaucratic

argument with the Economics Ministry in Bonn, it was decided to keep the loan facility at its present level.

9. HUMAN RIGHTS: The Psychological Input.

Of interest in weighing the impact of human rights concerns of the US and other countries upon Argentine officials and the Argentine public was the treatment given by the press to a series of US visitors during August (Mrs. Derian, Mr. Todman, CODELS Yatron and Hollings)--all readily assumed by Argentines to have human rights concerns foremost in mind.

The balance in the actual presentations made by these officials was largely overlooked by the press in favor of accentuating positive comments and asserting that visitors had left Argentina with a "better understanding" of the situation Argentina faced--and thus, presumably, a less stringent attitude toward human rights violations in Argentina. The tone was, except for small carping against US "inspectors", generally optimistic.

This optimism was muted in ~~xxxx~~ the private conversations of senior military and Foreign Ministry officials, who tended to dwell on the "understanding" (and presumably exculpation) issue and the "hardness" of Mrs. Derian's stance. Her talk with Minister of Interior Harguindeguy was cited in this connection.

Public response to the visits also took the form of an outpouring of petitions addressed directly to the US visitors asking them to help in the specific cases of disappeared family members. A total of 326 cases were presented, which the Embassy is sorting for presentation to the Human Rights Working Group of the Foreign Ministry.

10. Anti-Semitic Book Banned.

The OFFICIAL BULLETIN of September 6 announced the banning of the publication of "Schulchan Arukh-The Secret Code of the Jews". The "DAIA"^a spokesgroup for the Jewish community, acknowledges that this banning was spontaneous but remains concerned about other books available in the ^{news}stands of Buenos Aires Jewish groups regard as offensive.

11. Improving the Argentine Image.

On August 30 the Foreign Office announced the creation of a press and broadcasting office reporting directly to the Foreign Minister. This office may have been a result of the recent meeting of Argentine Ambassador^x in Europe during which the deterioration of Argentina's image abroad was reported to be a principal topic.

12. Judicial Proceedings.

There have been press reports in the past month of ^{tenuous} judicial proceedings in which persons in association

with "subversive movements" have received relatively light sentences (3-6 years) and persons with deeper associations but who have been cooperative with police have received reduced sentences or been released without sentence.

In two cases of interest to the Embassy (the Camuso de Rodriguez case and the Vogeler case) persons held for long without charge have in fact been officially charged ~~with~~ with illegal possession of weapons. Whether this was done merely to thwart US and others interest in having these prisoners promptly released from executive detention is not yet clear. The further development of these cases will be a signal on how these kinds of trials will proceed.

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EMBASSY OF THE
UNITED STATES OF AMERICA

September 13, 1977

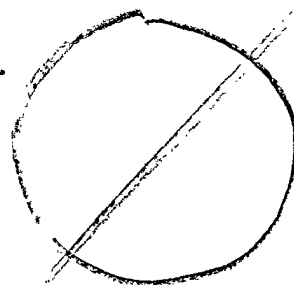
To: POL/R
SY
LEGATT ✓
DAO
MILGP

Subject: "Operation GADE"

I would appreciate any information regarding GOA anti-subversive activities conducted under the above code name.

Many thanks

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Box 9/15/77

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FBI-BUENOS AIRES

Human Rights

UNITED STATES GOVERNMENT

Memorandum

W. Hitchcock - CONS
D. Brock - POL/R
R. Scherrer - LEGATT ✓

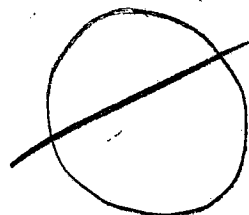
DATE: September 20, 1977

FROM : F. A. Harris - POL *FAH*

SUBJECT: Name Check

In order to respond to two inquiries from Washington I would appreciate any information you might have regarding: (1) Argentine or Bolivian national Thomas Kornfeld. (2) Argentine citizen Enzo Geist abducted from his home on August 7.

NO RECORDS
But 9/28/77
10/11/77



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FBI-BUENOS AIRES
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Human Rights file

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DEPARTMENT OF STATE TELEGRAM

CONTROL: 7351
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INDICATE
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☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

UNCLASSIFIED

E.O. 11652:

TAGS:

SUBJECT:

ACTION:

N/A

SHUM, AR

DETAINMENT OF ARGENTINE PRIESTS: TESTA, MATHOT,
GUTTIEREZ GARCIA, MUSSE AND TRONCOSO

SECSTATE WASHDC

UNCLASSIFIED BUENOS AIRES: 7351

REF: STATE 192106

CHARGE

POL-3

POL/R

LEGATT

USIS

ECOM

RF

CHRON

1. ARGENTINE FOREIGN OFFICE HUMAN RIGHTS WORKING

GROUP HAS PROVIDED THE FOLLOWING INFORMATION ON

SUBJECT CASES:

(A) TESTA, JOHN FRANCO -- DETAINED UNDER PEN DECREE

1845 OF 12/12/74. TESTA HAS ALSO BEEN CHARGED

BEFORE FEDERAL CRIMINAL JUDGE IN CHACO FOR

ILLEGAL POSSESSION OF ARMS IN VIOLATION OF

CRIMINAL LAW 189 (BIS). TESTA IS BELIEVED TO BE

A MEMBER OF ERP CELL WHICH ATTACKED POLICE

STATION IN COLONIA ABORIGEN (CHACO) IN

OCTOBER 1974. TESTA IS PRESENTLY HELD IN UNIT 9

OF LA PLATA PRISON.

(B) MATHOT, HUGO ORLANDO -- DETAINED UNDER PEN

DECREE 52 OF 1/9/76 FOR POSSESSION OF MONTONERO

DRAFTED BY:

POL:FAHarris:eg

DRAFTING DATE

9/29/77

TEL. EXT.

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CONTENTS AND CLASSIFICATION APPROVED BY:

POLCOUNS:WHallman

CLEARANCES:

POL/R:DSmock

LEGATT:RWScherrer

109-812-149A

OCT 3 1977

FBI-BUENOS

UNCLASSIFIED

CLASSIFICATION

OPTIONAL FORM 152(H)
(Formerly FS-413(H))
January 1975
Dept. of State

PROPAGANDA.

- (C) GUTTIEREZ GARCIA, FRANCISCO -- BEING DETAINED UNDER PEN DECREE 3558 OF 11/25/75 FOR VIOLATION OF ARGENTINE LAW 20,840 FOR MEMBERSHIP IN 'MOVEMENT OF THIRD WORLD' (MONTONERO ORGANIZATION). HE IS FURTHER ACCUSED OF DIRECT PARTICIPATION IN ORGANIZING GUERRILLA BASES, TRAINING FUTURE COMBATANTS, AND RECRUITING ADHERENTS IN THE SANTO CRISTO CHURCH IN BUENOS AIRES THROUGH ITS RECREATION CENTER.
- (D) MUSSE, ELIAS -- DETAINED UNDER PEN DECREE 2045 OF 7/29/75 FOR VIOLATION OF LAW 20,840 AND CRIMINAL CODE PROVISION 189 (BIS). MUSSE IS CHARGED WITH ILLEGAL ASSOCIATION, ATTACKING POLICE STATION NUMBER 2 IN MAR DEL PLATA AND FOR THE THEFT OF ARMS AND EXPLOSIVES.
- (E) TRONCOSO, RAUL -- BEING DETAINED UNDER PEN DECREE 1135 OF ~~XXXXXX~~ 7/1/76 FOR MEMBERSHIP IN MONTONERO ORGANIZATION AND FOR CONSTRUCTION OF CLANDESTINE ARMS DEPOSIT.

2. EMBASSY HAS NO INFORMATION ON THESE INDIVIDUALS TO EVALUATE CHARGES MADE BY GOA AUTHORITIES. MINISTRY CONTINUING TO CHECK ON OTHER NAMES LISTED REFTEL/

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DEPARTMENT OF STATE

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

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7

O. 11652:
 TAGS:
 SUBJECT:
 ACTION:

GDS
 SHUM, AR
 PERSONAL LETTERS ON HUMAN RIGHTS CASES SUBMITTED
 TO DERIAN, TODMAN AND CODEL YATRON AND HOLLINGS
 SECSTATE WASHDC

~~LIMITED OFFICIAL USE~~ BUENOS AIRES: 6508

REF: (A) STATE 199962 (B) BOVA-HARRIS PHONE CONVERSATION
 8/24/77

CHARGE
 POL-3
 POL/R
 LEGATT
 SY
 ECOM
 USIS
 RF
 CHRON

1. AS REQUESTED BY RECENT VISITORS, EMBASSY IS PREPARING
 A UNIFIED LIST OF ALL CASES SUBMITTED TO HUMAN RIGHTS
 COORDINATOR DERIAN, ASSISTANT SECRETARY TODMAN, AND
 CODELS YATRON AND HOLLINGS FOR SUBMITTAL TO GOA. THIS
 LIST, WITH ACCOMPANYING EMBASSY NOTE SEEKING INFORMATION,
 WILL BE TRANSMITTED TO ARGENTINE FONOFF WORKING GROUP ON
 HUMAN RIGHTS.

2. SEVERAL HUNDRED PERSONAL LETTERS FROM ARGENTINE
 FAMILIES WITH DISAPPEARED OR DETAINED RELATIVES HAVE
 BEEN RECEIVED. MAIL IS STILL ARRIVING DAILY. IN A
 NUMBER OF CASES, FAMILIES WROTE TO SEVERAL U.S.
 VISITORS. EMBASSY LOCAL EMPLOYEE IS WORKING FULL TIME
 TO CATALOGUE LETTERS FOR PREPARATION OF LIST TO FONOFF.

109-812-90

SEARCHED INDEXED
 SERIALIZED FILED

DRAFTED BY:

POL:FAHarris:eg

DRAFTING DATE

8/25/77

TEL. EXT.

277

CONTENTS AND CLASSIFICATION APPROVED BY:

POLEONS:Wodman

LEARANCES:

1-BUENOS AIR

Human Rights file

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CLASSIFICATION

OPTIONAL FORM 152-4
 (Formerly FC 415-11)
 January 1975
 Dept. of State

AND TO FACILITATE SENDING WRITTEN ACKNOWLEDGEMENT TO THE
CONCERNED FAMILY MEMBER.

CHAPLIN

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MEMORANDUM OF CONVERSATION

Participants: Jorge Pascale
Servicio Paz y Justicia

Leonardo Perez Esquivel
Son of Detainee

F. Allen Harris
Political Officer
U.S. Embassy, Buenos Aires

Subject: Detainee Adolfo Perez Esquivel

Date: August 25, 1977

There have been few new developments in the case. During week of August 15, Amanda Guerreño de Esquivel, Esquivel's wife, called at the Ministry of the Interior and met with Army Colonel (name unknown). Mrs. Esquivel was very disappointed when the Colonel pulled her husband's file which had only one document in it -- the decree placing him under PEN. Evidently no investigation has begun in his case. Later in the week, she called on an officer at Army Headquarters who produced a similarly thin file on her husband. This officer also checked a list of detained persons "who will be placed in freedom in the future". The Army officer informed her that her husband was not on this list.

Mr. Pascale stated that they had been in touch with a Mr. Tom Digley (phonetic spelling) of the U.S. Committee for Peace and Justice. Mr. Digley had agreed that the U.S. Committee would work actively in the U.S. for the release of Adolfo Perez Esquivel. Leonardo Perez Esquivel at this point raised on behalf of his father the possibility of his coming to the U.S. at such time that he was released from PEN. There followed a short discussion of U.S. immigration procedures. Leonardo Perez Esquivel appeared disappointed at the long delays needed to obtain a visa for the U.S.

Adolfo Perez Esquivel is incarcerated in Unidad 9, Pavillion 17/V in La Plata. His son described the conditions as not terrible but very difficult. Food is deficient in quality and quantity, but the prisoners can purchase additional food. During their weekly visit the family gives Esquivel some money, but are not allowed to provide him food. Adolfo Esquivel divides the money which his family provides him with those who have no funds.

Human Rights
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109-812-1498
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Date: August 25, 1977


2

Medical facilities are non existent. There is one nurse for 1,600 prisoners. The jail was designed for only 900. The jail is under International Red Cross supervision, however, there are 3 cell blocks in which a severe regime is practiced. Unfortunately Adolfo Esquivel is in one of the toughest cell blocks, the other pavillions are better. There are many types of punishments. Physical and psychological used on the prisoners but Leonardo Esquivel declines to discuss them.

The remainder of the conversation dealt with legal questions on the right of option.

ARA - Mr. Lister
ARA/ECA - Mr. Bumpus
D/HA - M. Bova
INR/ORPA - Suzanne S. Black
L/HR - Mr. Runyan
H - Mr. Cutter
INR/RAR - Mr. Buchanan

POL/R -
DAO -
USIS -
SY -
LEGATT - ✓
CONGEN -
CHARGE -
POL -


POL:FAHarris:eg

UNITED STATES DEPARTMENT OF JUSTICE
Memorandum

TO : MILGP, DAO, LEGATT, POL/R, and SY

DATE: October 3, 1977

FROM : E.A. Harris - POL *EH*

SUBJECT: First Corps Officers Involved with PEN and Disappeared Cases.

75-13 ? (probably N.I.) lux
The following are among the officers of the First Army Corps located in Palermo with responsibilities for PEN detainees and missing persons: Lt. Col. Roarte, Lt. Col. Gatica, and Padre Monson, Chaplain of the First Army Corps.

Does anyone know or have any information on these persons?

*109-812-150
bk bk bk*

Human Rights file

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U.S. GOVERNMENT PRINTING OFFICE

LEGATT

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MEMORANDUM OF CONVERSATION

DATE: October 12, 1977

SUBJECT: Right of Option

PARTICIPANTS: Fernando De la Rua, Radical Party Member
and Former Member of Congress
William H. Hallman, Political Counselor

TIME & PLACE: October 12 - A Restaurant in Buenos Aires

DISTRIBUTION: CHARGE, POL (Human Rights File, De La Rua Bio),
DATT, SY, LEGATT, ECOM, ARA/ECA, INR/RAR

De la Rua said he believes the government's proclaiming recently a highly regulated Right of Option was a device to appear to restore constitutionality to government which will have no practical effect upon imprisoned persons. He said that the Supreme Court had leaned heavily against the government on this issue and that the "right" had been restored to call away criticism--even while it was hedged with so many rules and regulations as to make exercises of the "right" a practical impossibility. I asked whether the restored Right of Option might not be a useful way of turning loose a great many prisoners who in fact have little or no connection with terrorism. De la Rua said he doubted there were many such prisoners, and that in any event it did not seem likely that the government would permit terrorist links to be restored by seepage back into the country of persons who had opted to leave it.

De la Rua's cynical attitude toward the restored Right of Option interested me, since among civilian politicians I know personally he is the most outspoken loyalist to the military Junta and believer that almost all actions taken by security forces are right and proper and do indeed net the right people. De la Rua is fascinated by the fanaticism he says he has observed in the terrorist movement--which includes a willingness to abduct and extort from members of one's own family--and also by the constant use of terrorist

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Human Rights file.

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| OCT 23 1977 | |
| FBI-BUENOS AIRES | |

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threats against the lives and families of persons who refuse to cooperate with the movement. De la Rúa says he knows of many instances of persons who, for example, were recruited just to "hand out leaflets" or "put up posters"--when in actual fact a great deal more was planned and persons, especially young persons, who were merely sympathetic bystanders found themselves suddenly involved in police killing or armed attacks. Thus inadvertently deeply involved the sympathizers were forced to become full-time members of terrorist organizations.

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CONTROL: 8232
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TELEGRAM

INDICATE
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FROM

AMEMBASSY BUENOS AIRES

CLASSIFICATION

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E.O. 11652: GDS
TAGS: SHUM, AR
SUBJECT: ARGENTINE HUMAN RIGHTS DEVELOPMENTS

ACTION: SECSTATE WASHDC

INFO: AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
AMEMBASSY MONTEVIDEO
AMEMBASSY SANTIAGO

CHARGE
POL-3
POL/R
ECOM
USIS

LEGATT
RF
CHRON
AGATT
SY
DEA
ADMIN
CONS

~~CONFIDENTIAL~~ BUENOS AIRES: 8232

INTRODUCTION AND SUMMARY:

~~XXXXXXXX~~ RECENT HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

b3 per DIA

ARE MIXED. THE GOVERNMENT'S RECENT ANNOUNCEMENT OF A

RESTRICTED RIGHT OF OPTION PROGRAM TO ALLOW PERSONS

HELD UNDER EXECUTIVE DETENTION TO LEAVE THE COUNTRY,

ALTHOUGH POINTED TO BY THE GOA AS A SIGNIFICANT ADVANCE,

SEEN
IS ~~FEARED~~ BY PERSONS SEEKING THE "OPTION" TO LEAVE AS

NO ESSENTIAL CHANGE OVER PAST PROCEDURES. THE

GOVERNMENT STILL RETAINS THE RIGHT TO RELEASE ONLY

THOSE PERSONS THAT IT CHOOSES TO. LOCAL BAR MEMBERS

WITH DETAINED CLIENTS HAVE DUBBED THE NEW PROGRAM AS

THE REAL TEST WILL LIE IN THE ADMINISTRATION
"THE RIGHT TO PETITION", / ~~PERMANENT ASSEMBLY AND~~
OF THE PROGRAM. PERMANENT ASSEMBLY AND

DRAFTED BY:

POLFAHarris:eg

DRAFTING DATE

11/1/77

TEL. EXT.

277

CONTENTS AND CLASSIFICATION APPROVED BY:

A/POLCOUNS:AGFreeman

CLEARANCES:

LEGATT:RWScherrer (in draft)
[redacted] (in draft)

POL/R:DSmock (in draft)

USIS:MO'Brien (in draft)

CONGEN:MSherman (in part)

Human Rights file

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BA-17
4-12-76

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OPTIONAL FORM 153
(Formerly Form 10)
January 1975
Dept. of State

LEAGUE FOR THE RIGHT OF MAN MEMBERS STATE THAT THEY HAVE BEEN RECEIVING ABOUT THE SAME NUMBER OF REPORTED DISAPPEARANCES OVER THE LAST FEW MONTHS. THE POSITIVE NEWS IS THAT HUMAN RIGHTS ORGANIZATIONS ARE GAINING IN STRENGTH. THE RECENT "MOTHER'S DAY" PETITION AND DEMONSTRATION ARE VIEWED AS HAVING NOT ONLY SENT A SIGNAL TO THE JUNTA REGARDING THE SERIOUSNESS OF THE DISAPPEARANCE PROBLEM, BUT ALSO HAVING STRENGTHENED THE COMMITMENT OF THOSE WHO PARTICIPATED. THE MOST SOBERING DEVELOPMENT IS THE EXPECTED RETENTION AND IN SOME CASES PROMOTION OF SENIOR ARGENTINE HARD-LINE MILITARY OFFICIALS CLOSELY ASSOCIATED WITH THE ANTI-TERRORIST AND ANTI-SUBVERSIVE CAMPAIGNS. HUMAN RIGHTS ACTIVISTS HAD HOPED EARLIER THAT THIS YEAR'S CYCLE OF PROMOTIONS AND RETIREMENTS WOULD SEE NEW, MORE MODERATE OFFICERS MOVING INTO POSITIONS OF RESPONSIBILITY RELATING TO THE ANTI-SUBVERSIVE PROGRAMS. END SUMMARY.

1. UNION HUMAN RIGHTS SURVEY -----

IN AN EFFORT TO "DIALOGUE" AND SHOW THAT THE GOVERNMENT IS RESPONSIVE TO WORKER PROBLEMS, THE GOVERNMENT-INTERVENED NATIONAL TRADE UNION CENTRAL (CGT) HAS ESTABLISHED A SUBCOMMITTEE OF TRADE UNION LEADERS TO DEAL WITH THE QUESTION OF TRADE UNION DETAINEES AND DISAPPEARED. AS A FIRST STEP THE MILITARY OFFICER PRESIDING OVER THE COMMITTEE ASKED ITS MEMBERS TO PREPARE A LIST OF ALL LABOR LEADERS AND WORKERS WHO HAVE EITHER DISAPPEARED IN RECENT YEARS OR ARE BEING

[illegible]

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~~THESE NEW BURST OF TERRORISM WERE CALLED THE SAME THE
GOVERNMENT RELEASED SEVERAL DOCUMENTS
THAT THE ARMED STRONG WAS TEMPORARILY OVER AND THAT
MONITORING WORK WERE BEING DONE THROUGH BLACK PROPAGANDA AND
LABOR EXCITATION~~

3. FALSE DENIAL OF HABEAS CORPUS PETITION -----

THE ARGENTINE PERMANENT ASSEMBLY FOR HUMAN RIGHTS IS CONSIDERING A LEGAL CHALLENGE TO THE FALSE -- OR AT BEST "PREMATURE" REPLY GIVEN TO A HABEAS CORPUS PETITION FILED FOR ITS KIDNAPPED CO-PRESIDENT ALFREDO BRAVO. IMMEDIATELY AFTER BRAVO'S KIDNAPPING, A HABEAS CORPUS PETITION WAS FILED AND JUDICIAL INQUIRIES WERE SENT TO A NUMBER OF POLICE AND MILITARY UNITS WHO MIGHT BE HOLDING THE ARGENTINE LABOR AND HUMAN RIGHTS LEADER. THE FIRST ARMY CORPS FORMALLY REPLIED THAT BRAVO WAS NOT BEING DETAINED. HOWEVER, A WEEK LATER WHEN THE MINISTRY OF INTERIOR ANNOUNCED THE "REAPPEARANCE" OF BRAVO, IT STATED THAT HE HAD BEEN HELD UNDER DETENTION BY ORDER OF GENERAL SUAREZ MASON, COMMANDER OF THE FIRST CORPS. THE ASSEMBLY MAY DELAY ACTION UNTIL BRAVO IS RELEASED, BUT THE CASE IS AN IMPORTANT DEMONSTRATION OF THE FUTILITY OF THE PRESENT HABEAS CORPUS PROCEEDINGS.

4. DANISH UNDERTAKE HUMAN RIGHTS CASE WORK -----

ON SEPTEMBER 29 AN OFFICER OF THE DANISH EMBASSY ASKED FOR U.S. ASSISTANCE IN LOCATING TWO ~~REDACTED~~ "DISAPPEARED" ARGENTINE

BEDOYAN; HAROLD
COUPLES -- DR. IGNACIO IKONICOFF AND MARIA/LOGITURATO AND LILIANA
GALLETTI. ALTHOUGH DENMARK, LIKE ITS EC COLLEAGUES, HAS DECIDED
NOT TO MAKE GENERAL BILATERAL HUMAN RIGHTS DEMARCHES, ITS EMBASSY
HERE IS UNDERTAKING "QUIET INVESTIGATIONS" ON BEHALF OF HIGH
INTEREST CASES.

5. GOVERNMENT'S VOLUNTARY SURRENDER PROGRAM CONTINUES -----
WEEKLY PRESS PUBLICITY IS BEING GIVEN TO THE REDUCED SENTENCES
BEING LEVIED AGAINST FORMER SUBVERSIVES WHO HAVE VOLUNTARILY
SURRENDERED. THE SENTENCES OF THOSE SURRENDERING WHO HAVE NOT
PARTICIPATED IN ACTS OF VIOLENCE ARE GENERALLY REDUCED BY ONE
HALF TO TWO THIRDS. IT IS ALSO PRESUMED THAT THE DEGREE OF
COOPERATION IN PROVIDING INFORMATION TO THE AUTHORITIES IS
ANOTHER FACTOR TAKEN INTO ACCOUNT. THE EMBASSY UNDERSTANDS
THAT ~~THEX~~ THERE ARE SEVERAL SECRET AND WELL PROTECTED
"REHABILITATION CENTERS" IN SOUTHERN ARGENTINA WHERE THESE
PRISONERS SERVE THEIR TIME, WELL PROTECTED FROM THEIR FORMER
TERRORIST COLLEAGUES. SOME MAY EVEN BE LISTED AS
"DISAPPEARED". THE GOVERNMENT HAS ALSO ANNOUNCED THAT
COUPLES SURRENDERING WILL BE ALLOWED TO LIVE TOGETHER AND
YOUNG CHILDREN WILL BE ABLE TO REMAIN WITH THEIR MOTHERS.

6. HUMAN RIGHTS GROUPS INCREASE ACTIVITIES -----
LOCAL HUMAN RIGHTS ACTIVISTS ARE CLAIMING THAT THE OCTOBER 14
MASS DEMONSTRATION STAGED BY THE "FAMILIARES DE DETENIDOS Y
DESAPARECIDOS" AND THE MOTHERS OF PLAZA DE MAYO WAS A

SIGNIFICANT ACT CALLING ATTENTION TO THE GRAVE "DESAPARECIDO" PROBLEM. (SEE BA 7700.) OVER 200 PERSONS PEACEFULLY ALLOWED THEMSELVES TO BE ARRESTED, RAPPORT WAS ESTABLISHED WITH THE POLICE UNITS, SYMPATHETIC PRESS ACCOUNTS WERE GENERATED AND MOST IMPORTANTLY THE MOTHER'S RESOLVE TO CONTINUE THEIR CIVIL DISOBEDIENCE (THERE IS AN OFFICIAL BAN ON DEMONSTRATIONS) HAS BEEN STRENGTHENED. THE MOTHERS ARE BEGINNING TO TALK ABOUT A PEACEFUL DEMONSTRATION DURING SECRETARY VANCE'S VISIT SIMILAR TO THE ONE HELD DURING ASSISTANT SECRETARY TODMAN'S AUGUST TRIP. THE "FAMILIARES DE DETENIDOS Y DESAPARECIDOS" GROUP (WHICH IS LINKED TO A GROUP WITH COMMUNIST PARTY ASSOCIATION) CLAIMS THAT 24,000 PERSONS THROUGHOUT ARGENTINA ~~XXXXXX~~ SIGNED ITS PETITION TO THE MILITARY JUNTA WHICH CALLED FOR A SEARCH FOR MISSING CITIZENS, THE APPEARANCE OF DETAINED CITIZENS, THE FREEING OF THOSE DETAINED WITHOUT CHARGES, THE REESTABLISHMENT OF THE CONSTITUTIONAL RIGHT OF OPTION AND TRIAL ACCORDING TO NATIONAL LAW OF PERSONS PROPERLY CHARGED. THREE OTHER PETITIONS ON THE PROBLEM OF THE "DESAPARECIDOS" APPEARED AS NEARLY FULL PAGE ADVERTISEMENTS IN LA PRENSA IN RECENT WEEKS. TWO OF THE ADS WERE FUNDED BY THE "FAMILIARES DE DETENIDOS Y DESAPARECIDOS" AND THE OTHER WAS FUNDED BY THE CONTRIBUTIONS OF THE MOTHERS OF THE PLAZA DE MAYO. A COUNTER ADVERTISEMENT APPEARED IN CLARIN SIGNED BY "COORDINATOR FEDERICO VOLPE". ITS MAJOR CAPTION WAS "HUMAN RIGHTS FOR ALL AND HUMAN DUTIES FOR ALL". THE TEXT

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BA-17
OPTIONAL-10751
(Formerly FC 40)
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POINTED OUT THAT SUBVERSIVES ARE THE FIRST TO CALL FOR HUMAN RIGHTS, BUT ARE ALSO THE FIRST TO VIOLATE THEM BY KILLING INNOCENT MEN, WOMEN AND CHILDREN.

A RELIGIOUS GROUP ALSO IS PLANNING TO UNDERTAKE HUMAN RIGHTS ACTIVITIES. A CATHOLIC, PROTESTANT, JEWISH ORGANIZATION -- THE INSTITUTE FOR HIGHER RELIGIOUS STUDIES -- IS STARTING TO PLAN A MASS DEMONSTRATION DURING THE CHRISTMAS SEASON IN BUENOS AIRES TO PRAY FOR PEACE.

7. HIGH INTEREST CASES -----

WITH THE EXCEPTION OF THE RELEASE OF MRS. DEUTSCH AND HER TWO ELDEST DAUGHTERS, THERE HAS BEEN LITTLE MOVEMENT AMONG THE HIGH VISIBILITY
XXXXXXXXXX CASES.

ALTHOUGH THE SUBVERSION INVESTIGATION AGAINST FORMER LA OPINION PUBLISHER TIMERMAN HAS BEEN DROPPED "FOR LACK OF MERIT" (I.E. INSUFFICIENT EVIDENCE), HIS FAMILY'S KEEN EXPECTATION OF HIS EARLY RELEASE HAS NOT MATERIALIZED. (SEE BA 7716.) THE FAMILY HAS NOW DECIDED TO PURSUE LEGAL REMEDIES THROUGH A PETITION FOR HABEAS CORPUS. THIS IS THE FIRST TIME THE FAMILY HAS GONE PUBLIC. ON OCTOBER 31, THE FEDERAL COURT OF APPEALS ASKED THE FIRST ARMY CORPS TO AFFIRM THAT TIMERMAN IS NO LONGER BEING
SECOND SPECIAL
HELD FOR INVESTIGATION OF SUBVERSION BY THE/MILITARY COURT. AT THE SAME TIME, THE COURT REQUESTED THE MINISTRY OF INTERIOR TO PROVIDE THE REASONS FOR THE CONTINUED EXECUTIVE DETENTION OF

MR. TIMERMAN. THE FAMILY'S LAWYER TOLD THE EMBASSY PRIVATELY THAT HE WAS OPTIMISTIC FROM A LEGAL POINT OF VIEW, BUT HE FEARED THAT DECISIONS IN THE CASE WOULD CONTINUE TO BE MADE ON POLITICAL GROUNDS. (A POSITIVE PRECEDENT WAS ANNOUNCED ON NOVEMBER 1, WHEN A FEDERAL JUDGE ORDERED IMMEDIATE FREEDOM FOR A BUSINESSMAN HELD UNDER EXECUTIVE DETENTION FOR ILLEGAL SUGAR TRANSACTIONS. THE JUDGE HELD THAT THE EXECUTIVE'S STATE OF SIEGE POWERS RELATED ONLY TO PRESERVING LAW AND ORDER, NOT ILLICIT MARKETING.)

IN THE ALFREDO BRAVO, CASE, NEWSPAPER ADVERTISEMENTS AND PETITIONS HAVE FAILED TO END THE EXECUTIVE DETENTION OF THIS IMPORTANT LABOR AND HUMAN RIGHTS LEADER.

THE DISAPPEARANCES OF EDGARDO SAJON, ENRIQUE RAAB, RODOLFO FERNANDEZ PONDAL AND JUAN RAMON NAZAR WERE RECALLED TO PUBLIC ATTENTION BY THE ARGENTINE PUBLISHERS ASSOCIATION (ADEPA). ON SEPTEMBER 24, ADEPA ISSUED A STATEMENT THAT FULL FREEDOM OF THE PRESS DOES NOT EXIST IN ARGENTINA. THE ASSOCIATION POINTED ~~OUT~~ TO THE MANY DISAPPEARANCES AND DETENTIONS OF EDITORS AND JOURNALISTS, THE GOVERNMENT'S INTERVENTION OF LA OPINION AND SEVERAL INTERIOR PAPERS, AND THE MURDER OF SEVERAL JOURNALISTS AS DAMAGING THE FREEDOM OF EXPRESSION IN ARGENTINA. THE ORGANIZATION QUESTIONED THE UTILIZATION OF THE STATE OF SIEGE AUTHORITY IN CURTAILING THE FREEDOM OF THE PRESS AND CALLED FOR THE RELEASE OF THOSE JOURNALISTS BEING HELD UNDER EXECUTIVE DETENTION. A DELEGATION OF THE MOTHERS OF THE PLAZA DE MAYO MET WITH THE ADEPA LEADERSHIP TO URGE THEM TO GIVE MORE ATTENTION TO THE GENERAL DISAPPEARANCE PROBLEM; ADEPA REPLIED THAT ITS FIRST CONCERN WAS IN LOCATING MISSING JOURNALISTS.

9 THE DISAPPEARANCE OF FORMER ARGENTINE AMBASSADOR TO VENEZUELA
HECTOR HIDALGO SOLA WAS BROUGHT AGAIN BEFORE THE PUBLIC'S FADING
ATTENTION BY GOA'S ANNOUNCEMENT ON OCTOBER 27 THAT IT WILL FILL
CARLOS
HIS VACANT POST IN CARACAS WITH CAREER DIPLOMAT ~~CARLOS~~ FEDERICO
BARTFELD. MOST LOCAL OBSERVERS BELIEVE THAT BY NOW SOLA HAS
PROBABLY BEEN ELIMINATED BY HIS CAPTORS.

8. UK REJECTS SMALL ARMS SALE -----

IN LINE WITH A RECOMMENDATION FROM THEIR EMBASSY IN BUENOS
AIRES, THE BRITISH GOVERNMENT TURNED DOWN THE SALE OF TWO
DOZEN SOUND SUPPRESSED SUBMACHINE GUNS TO ARGENTINA. THE
PURCHASING ORGANIZATION OF RECORD WAS THE BUENOS AIRES
PROVINCE PRISON AT LA PLATA. BRITISH EMBASSY SOURCES
INDICATE THAT THERE WAS NO JUSTIFICATION FOR "PRISON
AUTHORITIES" ORDERING COMMANDO TYPE WEAPONS. THE BRITISH
ARE PREPARED TO SUPPLY LARGE WEAPON SYSTEMS TO THE ARGENTINES,
SUCH AS THE SMALL GUIDED MISSILE DESTROYER RECENTLY
DELIVERED, BUT HAVE DECIDED AT PRESENT NOT TO PROVIDE ARMS
FOR INTERNAL SECURITY PURPOSES.

THE UK PREVIOUSLY SOLD A NUMBER OF STERLING SUBMACHINE GUNS
TO THE PERONIST GOVERNMENT, MOST OF WHICH TURNED UP AT THE
IN UNION HALLS
SOCIAL WELFARE MINISTRY AND ~~THE PERONIST GOVERNMENT~~. THE VIDELA GOVERNMENT
FORMALLY PLAYED UP THE U.K.'S SALE OF THE STERLINGS WHICH
WENT TO THE PERONIST'S HEAVIES. THE LATEST UK REFUSAL
TOOK
PROBABLY REFLECTS THE VERY BAD BURNING HMG ~~ROCK~~ ON THE PREVIOUS

SALE.

9. REPORTS OF EXCESSES -----

XX IN SEPTEMBER, TWO SHOOTOUTS WITH TERRORISTS IN BUENOS AIRES PROVINCE WERE REPORTED IN THE PRESS WITH THREE MONTONERO A RELATIVE OF ONE OF THE DECEASED HAS TERRORISTS KILLED IN EACH ENCOUNTER. / ~~THE EMBASSY HAS BEEN~~ THE EMBASSY FIRE INFORMED/THAT THE YOUNG MEN KILLED IN THE XXX FIGHTS HAD BEEN TAKEN FROM THEIR HOMES IN BAHIA BLANCA BY SECURITY FORCES THREE MONTHS TO OVER A YEAR AGO. THEIR FAMILIES WERE UNDERSTANDABLY SHOCKED BY THE NEWS

REPORTS OF THE THEFT OF TELEVISION SETS AND OTHER PORTABLE VALUABLES IS A FREQUENT OCCURRENCE ASSOCIATED WITH THE ARREST AND DISAPPEARANCE OF INDIVIDUALS IN ARGENTINA. A REPORT HAS BEEN FILED WITH THE EMBASSY THAT THE OWNER OF AN AUTO REPAIR SHOP WHO WAS "ARRESTED" AND THEN DISAPPEARED HAD HIS SHOP "SEARCHED FOR WEAPONS" SEVERAL DAYS AFTER HIS ARREST. ALL HIS TOOLS AND A FULL-SIZED BUS WHICH HE RECENTLY PURCHASED WERE STOLEN. LOCAL POLICE AUTHORITIES REFUSED TO ACCEPT THE DENUNCIA OF THE CRIME FROM HIS FAMILY. SENIOR MILITARY OFFICIALS HAVE EXPRESSED CONCERN OVER SUCH ROBBERIES TO THE

[REDACTED] THE GOA IS TRYING TO GET CONTROL OVER THE SECURITY FORCES TO PREVENT SUCH FLAGRANT ABUSES.

b3 per DIA

10. RELIGIOUS FREEDOM -----

PRESIDENT VIDELA ANNOUNCED ON OCTOBER 13 THAT THE NEW PENAL CODE WILL CONTAIN SANCTIONS AGAINST ANYONE WHO HARMS OR DISCRIMINATES AGAINST PERSONS OR GROUPS FOR ETHNIC OR RELIGIOUS

REASONS. THE LOCAL JEWISH LEADERSHIP, THE DATA, WAS PLEASANTLY
SURPRISED BY THE PRESIDENT'S WELCOME INITIATIVE.

POLICE RAIDS IN THE LAST 18 MONTHS
IN ADDITION TO SOME 20 SCATTERED ~~ATTACKS~~ AGAINST JEHOVAH WITNESS
MEETING HALLS, HOMES, AND ADHERENTS; THE JEHOVAH WITNESSES ARE
FIGHTING A THREE SIDED LEGAL BATTLE WITH THE GOA. UNFORTUNATELY,
THEY ARE LOSING ON TWO FRONTS.

THE WITNESSES WON AN IMPORTANT LEGAL VICTORY SEVERAL MONTHS AGO
WHEN THE FEDERAL COURT OF APPEALS (THE NATION'S MOST PROGRESSIVE
COURT) HELD THAT JUNTA DECREE NO. 1867/76 PROSCRIBING ALL JEHOVAH
WITNESS ACTIVITY WAS AN UNCONSTITUTIONAL INFRINGEMENT OF
RELIGIOUS FREEDOM. HOWEVER, THE DECISION IN THAT CASE HAS NOT
TAKEN EFFECT AS THE GOVERNMENT HAS APPEALED TO THE SUPREME COURT,
WHERE THE CASE IS STILL PENDING.

IN THE FLAG SALUTING CASES, THE WITNESSES RECEIVED A FAVORABLE
EARLIER THIS YEAR
DECISION IN CORDOBA PROVINCE WHICH BOTH ALLOWED THEIR CHILDREN
TO RETURN TO SCHOOL AND VOIDED THE PROVINCE'S DIRECTIVE. BUT
IN A SIMILAR CASE ~~XXXXXXXX~~ IN BUENOS AIRES ~~PROVINCE~~ IN LATE
OCTOBER, THE WITNESSES WON ONLY THE RE-ENTRY OF THE CHILDREN
TO THEIR SCHOOLS.
THE ~~PROVINCIAL~~ DECREE REGARDING HOMAGE TO THE FLAG, ANTHEM,
ETC. WAS UPHELD. MANY WITNESS CHILDREN ARE DE FACTO BEING DENIED
~~AND~~ AN EDUCATION BECAUSE OF THEIR RELIGIOUS BELIEFS THROUGHOUT
THE COUNTRY.

THE LAST FRONT IS THE WITNESS' REFUSAL TO SERVE IN THE ARMED FORCES. THIS NOW APPEARS TO BE BECOMING THE MAJOR AREA OF CONFRONTATION. ABOUT 200 WITNESSES ARE SERVING PRISON SENTENCES FOR FAILURE TO WEAR ARMY UNIFORMS. THE YOUNG WITNESSES GENERALLY RESPOND PROMPTLY TO THEIR DRAFT NOTICES, BUT REFUSE TO CHANGE INTO MILITARY UNIFORMS. THEY ARE THEN COURT-MARTIALED, AND GIVEN WELL 30 TO 48 MONTH SENTENCES. THEY ARE TREATED REASONABLY/DURING THEIR PRISON SENTENCES; SOME EVEN ALLOWED WEEKENDS AT HOME.

THE GOVERNMENT IS NOW PROSECUTING CHURCH LEADERS, INCLUDING AMCIT ARGENTINE BRANCH COORDINATOR CHARLES EISENHOWER, FOR INCITEMENT, CONSPIRACY, AND APOLOGIA (PRAISING A CRIME) IN THESE MILITARY SERVICE REFUSAL CASES. EISENHOWER AND A FELLOW WITNESS WERE SENTENCED TO 6 MONTHS TO 2 YEARS IMPRISONMENT ON A MINIMAL OCTOBER 31. THEY WERE ALLOWED TO POST/BAIL AND WILL APPEAL THE CONVICTION.

11. ANTI-DEFAMATION LEAGUE VISIT -----

RABBI ROSENTHAL, LATIN AMERICAN DIRECTOR FOR THE JEWISH ANTI-DEFAMATION LEAGUE, MADE TWO BRIEF VISITS TO BUENOS AIRES IN MID-OCTOBER. ROSENTHAL WAS GUEST OF HONOR AT A LUNCH HOSTED BY THE CHARGE AND ATTENDED BY THE DATA LEADERSHIP. HE ALSO MET WITH OTHER LEADERS OF THE JEWISH COMMUNITY AND THE FOREIGN PRESS. THE FOREIGN OFFICE, WHICH USUALLY PROVIDES A CORDIAL BRIEFING FOR VISITING U.S. HUMAN RIGHTS WORKERS, IGNORED THE RABBI'S VISIT, PERHAPS IN RESPONSE TO HIS TESTIMONY BEFORE

THE FRASER SUBCOMMITTEE LAST YEAR ON ARGENTINA. THE FONOFF'S COLD SHOULDER TREATMENT WAS INTERESTING GIVEN THE FACT THAT ROSENTHAL HAD MET WITH BOTH VIDELA AND MONTES DURING THEIR RECENT VISITS TO THE U.S.

ROSENTHAL RECEIVED DIVIDED JUDGEMENTS FROM MEMBERS OF THE JEWISH COMMUNITY HERE. THE DATA INDICATED THAT ANTI-SEMITISM AND HUMAN RIGHTS MATTERS WERE GETTING NO BETTER NOR WORSE IN ARGENTINA.

MORE LIBERAL JEWISH COMMUNITY LEADERS EXPRESSED SERIOUS CONCERN WHAT THEY BELIEVE TO BE REGARDING CONTINUING ABUSES OF HUMAN RIGHTS AND/A SHIFT IN GOVERNMENT TARGETS FROM TERRORISM TO INTELLECTUAL SUBVERSION.

ROSENTHAL EVIDENCED SERIOUS CONCERN OVER THE LACK OF PROGRESS IN THE ARGENTINE HUMAN RIGHTS SITUATION. HE ENCOURAGED THE DATA TO TAKE A MORE ACTIVE ROLE IN PURSUING JEWISH AND NON-JEWISH CASES WITH THE ARGENTINE GOVERNMENT. HE WAS PARTICULARLY INTERESTED IN THE DEUTSCH, TIMERMAN AND ~~STOULMAN~~ ^{STOULMAN} ~~STOULMAN~~ CASES.

REGARDING THE LATTER, HE PASSED ON INFORMATION FROM THE STOULMAN ~~STOULMAN~~ FAMILY IN SANTIAGO THAT AFTER HIS DISAPPEARANCE, ~~STOULMAN~~ ORDERED JACOBO ~~STOULMAN~~ HAD REQUESTED THE TRANSFER OF ABOUT \$16,000 NEW YORK "A MIAMI OF TWO OTHER INDIVIDUALS. FROM HIS/ACCOUNT ~~STOULMAN~~ TO/XX ACCOUNT/~~STOULMAN~~ ~~STOULMAN~~

THIS POSSIBLE VIOLATION OF U.S. LAWS IS BEING INVESTIGATED BY THE FBI. THE FUNDS TRANSFER EVIDENCE IS SERIOUS, AS IT ^{STOULMAN'S} POINTS TO EXTORTION OF THE ~~STOULMAN'S~~ AFTER THEIR REPORTED DISAPPEARANCE FROM EZEIZA AIRPORT.

AIRES, HAD ISSUED A "CAPTURE ORDER" FOR HIM. TORRILLA SAID THAT HIS LIFE WAS IN DANGER BECAUSE HE WAS A PERONIST STUDENT LEADER IN HIGH SCHOOL. TORRILLA SOUGHT LEGAL PROTECTION FROM THE FEDERAL COURT IN LA PLATA BY SUBMITTING A PREVENTIVE HABEAS CORPUS PETITION (SIC) DETAILING HIS ASSOCIATION WITH THE PERONIST YOUTH MOVEMENT AND HIS PREVIOUS INTERROGATION AND RELEASE BY THE ARGENTINE SECURITY FORCES. HOWEVER, WHEN THE COURT REFUSED TO ACCEPT HIS HABEAS CORPUS PETITION AND HIS HOUSE WAS PLACED UNDER SURVEILLANCE, HE DECIDED TO REQUEST POLITICAL ASYLUM.

(PROTECT),
IN MID-OCTOBER, MRS. GLADYS BARRENECHEA DE MOYANO/ A MIDDLE AGED ARGENTINE WOMAN, ALSO REQUESTED ASYLUM. SHE STATED THAT SHE WAS BEING SOUGHT BY POLICE IN BUENOS AIRES FOR INTERROGATION REGARDING HER SON'S POLITICAL ACTIVITIES. HE WAS PREVIOUSLY IMPRISONED IN RAWSON AND WAS FREED BY THE CAMPORA AMNESTY. SHE SAID SHE HAS NOT SEEN HER SON FOR SEVERAL YEARS; BUT FEARS THAT IF SHE IS CAPTURED, SHE WILL BE TORTURED AND FORCED TO GIVE THE NAMES OF MANY INNOCENT PEOPLE. SHE HAD BEEN LIVING WITH HER DAUGHTER IN BUENOS AIRES UNTIL POLICE RAIDED THE HOUSE AND PUT IT UNDER SURVEILLANCE.

AN EMBASSY POLITICAL OFFICER EXPLAINED TO BOTH PERSONS THAT THE POLICY OF THE UNITED STATES GOVERNMENT WAS NOT TO GRANT EMBASSY SANCTUARY. HE SUGGESTED THAT THEY CONTACT ONE OF THE LATIN AMERICAN EMBASSIES WHO WERE SIGNATORIES TO THE HAVANA

CONVENTION. AFTER LONG DISCUSSIONS OF THEIR SITUATIONS, BOTH
PERSONS LEFT THE EMBASSY VOLUNTARILY.

~~XXXXXXXX~~

CHAPLIN *me*

~~CONFIDENTIAL~~
Classification

BA-17
4-12-76
OPTIONAL FORM 103
(Formerly 103-1)
JAN 1976
GPO

MR. WILLIAM H. HALLMAN, POLITICAL
ATTENTION: MR. HARRIS COUNSELOR

11/22/77

MR. ROBERT W. SCHERRER, LEGAL ATTACHE

DR. ALFREDO N. GALLETTI;
PROFESSOR ELIDA ENRIQUETA BUSI DE GALLETTI;
PROFESSOR LILIANA ELIDA GALLETTI

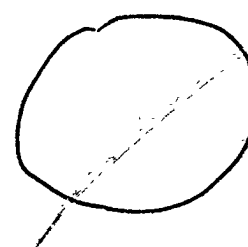
Attached is the original of a self-explanatory letter dated 11/20/77 and the transmittal envelope which was directed to Assistant Secretary for Inter-American Affairs, TERENCE A. TODMAN.

On 11/22/77, Ambassador TODMAN instructed that the Embassy acknowledge the attached letter, register LILIANA ELIDA GALLETTI in appropriate Human Rights records and that the Embassy include her name, if appropriate, on the list of cases in which the U. S. has an interest. Ambassador TODMAN advised that the Embassy need not provide any correspondence to him concerning captioned matter.

Attachments

- 1 - Addressee (Encs. 2)
- 1 - Buenos Aires (109-812)

RWS
RWS:jn
(2)



109-812-153

UNITED STATES GOVERNMENT

Memorandum

TO : FILE 109-812 (C)

DATE: 12/30/77

FROM : LEGAT, BUENOS AIRES

SUBJECT: HUMAN RIGHTS INQUIRIES - ARGENTINA

Captioned matter was opened and assigned in order to remain alert for any information concerning the subject of this case which might be of interest to the Bureau.

Inasmuch as no current information concerning captioned matter has come to the attention of this office, this case is being closed administratively.

Should any information of interest to the Bureau be developed at a future date, captioned matter will be reopened and assigned.

Part
RWS:jn
(1)
JM

Close

CHIEF OF
DESIGNATION
No 12 Y 80

109-812-153A

| | |
|------------------|---------|
| SEARCHED | INDEXED |
| SERIALIZED | FILED |
| DEC 30 1977 | |
| FBI-BUENOS AIRES | |

Part



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

0168
101310Z JAN 78

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | |
|--|--|--|
| FROM Amembassy BUENOS AIRES | | CLASSIFICATION UNCLASSIFIED |
| E.O. 11652: TAGS: SUBJECT: | N/A CVIS, SREF, SHUM, AR Name Checks: Argentine Detainees | |
| ACTION: | SECSTATE WASHDC RUEABND/DEA XX HQS WASHDC DIRECTOR FBI UNCLASSIFIED BUENOS AIRES <u>168</u> | |
| CONS CHRON POL*-2 POL/R* LEGATT* SY* DAO* DEA* *POL, POL/R, LEGATT, SY, DAO, and DEA, please do file check, note results hereon, and return directly to CONS/REF. Thanks. | 1. VISAS EAGLE | |
| | 2. BERMUDEZ, Oscar Amilcar Argentine May 24, 1951 Bahia Blanca, Buenos Aires, Arg. Occupation unknown Detained by Argentine authorities | |
| | 3. FERRARI, Claudio Alberto Argentine April 30, 1950 Santa Fe, Argentina University student Detained by Argentine authorities Affiliated with Peronist Party | |
| | 4. FERRARI, Sergio Gustavo Argentine June 15, 1953 Rosario, Santa Fe, Argentina University student Detained by Argentine authorities Affiliated with Peronist Party | |
| | 5. GONZALEZ, Pablo Daniel (AKA "Danny") Argentine November 19, 1952 Quilmes, Buenos Aires, Argentina University student Detained by Argentine authorities | |
| DRAFTED BY: COMS/REF: SBCoughlin: sbc CLEARANCES: | DRAFTING DATE 1-9-78 | TEL. EXT. 332 CONTENTS AND CLASSIFICATION APPROVED BY: COMS: WWhitchcock <i>WWhitchcock</i> |

UNCLASSIFIED

OPTIONAL FORM

- 1-810-141
6. KORNFIELD HOCHSTIMM, Tomas Juan Bolivian/Austrian
February 27, 1944 Oruro, Bolivia
Typesetter Detained by Argentine authorities
7. NEGRO, Javier Federico Argentine
September 16, 1955 La Plata, Buenos Aires, Arg.
Art teacher Detained by Argentine authorities
8. REYES, Pascual Angel Argentine
December 1, 1954 Capital Federal, Buenos Aires, Arg.
Plumber Detained by Argentine authorities
9. SEOANE, Raul Santiago Argentine
October 8, 1946, Capital Federal, Buenos Aires, Arg.
Lawyer Detained by Argentine authorities
10. AZAR SAADI, Nestor Carlos Argentine
August 1, 1948 Junin, Buenos Aires, Argentina
Business employee Detained by Argentine authorities
11. ROVARETTI, Leopoldo Alberto Argentine
September 22, 1951 ~~Arg~~ Cordoba, Argentina
Architect Detained by Argentine authorities
12. de ROVARETTI nee GIRADO, Monica Elena Argentine
February ~~21~~ 26, 1952 Buenos Aires, Argentina
IBM Programmer Gorriti 550, Dpto. 126, Bloque B,
Cordoba, Argentina
13. Wife of detainee above.
14. CAMPDEPADROS, ^{PEREZ,} Hector Tomas Argentine
January 24, 1946 Avellaneda, Buenos Aires, Arg.

15. de CAMPDEPADROS nee SOTELO, Adriana Argentine
August 22, 1956 Avellaneda, Buenos Aires, Arg.
Office worker for a lawyer Gutierrez 336 and
Estanislau del Campo, Quilmes 1878, Arg.
16. Wife of detainee above.
17. COSTA, Mario Luis Argentine
March 12, 1949 Maria Teresa, Santa Fe, Argentina
Chemical Engineer Detained by Argentine authorities
18. de COSTA nee FILIPETTI, Maria Argentine
June 28, 1950 Venado Tuerto, Santa Fe, Argentina
Occupation unknown Roca 581, Venado Tuerto, Santa
Fe, Argentina 2600
19. Wife of detainee above.
20. GONZALEZ, Americo (AKA "Quique") Argentine
December 7, 1948 Quilmes, Buenos Aires, Argentina
Salesman Detained by Argentine authorities
21. de GONZALEZ nee GENTILESCHI, Monica Argentine
April 17, 1952 ~~FE~~ Berazategui, Buenos Aires, Arg.
Occupation unknown Matienzo y Libertad, Berazategui,
Buenos Aires 1884, Argentina
22. Wife of detainee above.
23. OBEID NOVOA, Ruben Argentine
September 23, 1947 San Martin de los Andes, Neuquen,
Argentina.
- Teacher Detained by Argentine authorities

UNCLASSIFIED

Classification

Page 4 of 5 168
MRN

24. de OBEID nee VEGA, Maria Cristina Argentine
October 6, 1948 Cipolletti, Rio Negro, Argentina
Occupation unknown Hipolito Yrigoyen 9034, 1st Floor,
Apt "G", Lomas de Zamora, Bs As, Arg.
25. Wife of detainee above.
26. POZZO, Roberto Luis Argentine
November 20, 1944 Oliva, Cordoba, Argentina
Chemical engineer Detained by Argentine authorities
Sympathizer "Partido Justicialista".
27. de POZZO nee SUAREZ, Teresa Elisa Argentine
March 3, 1947 Laguna Paiva, Santa Fe, Argentina
Teacher Dorrego 5480, 3000 Santa Fe, Argentina
28. Wife of detainee above.
29. REARTE PEDROZA, Carlos Alberto Argentine
March 28, 1946 Campana, Buenos Aires, Argentina
Chauffer Detained by Argentine authorities
30. de REARTE nee VIGNATI RODRIGUEZ, Stella Maris, Argentine
October 21, 1952 Campana, Buenos Aires, Argentina
Occupation unknown Saavedra 790, Campana, Bs As, Arg.
31. Wife of detainee above.
32. Subjects seek release from detention by Argentine authorities under recently instituted "Right of Option" procedures, which require that embassy of country having interest in accepting the detainee issue certificate to effect that

UNCLASSIFIED

Classification

CONTROL: 0792
011310Z FEB 78

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | |
|--------------------------------|--|--------------------------------|
| FROM Amembassy BUENOS AIRES | | CLASSIFICATION UNCLASSIFIED |
| E.O. 11652: | N/A | |
| TAGS: | SREF, SHUM, AR, CI (FUENTES FARIAS, Hugo Hernan) | |
| SUBJECT: | Name Check: Hugo Hernan FUENTES FARIAS | |
| ACTION: | SECSTATE WASHDC RUEABND/DEA HQS WASHDC | |
| | DIRECTOR FBI Amembassy SANTIAGO | |
| | UNCLASSIFIED BUENOS AIRES 0792 | |
| CONS | 1. VISAS EAGLE | |
| CHRON | 2. <u>FUENTES FARIAS, Hugo Hernan</u> Chilean | |
| POL/R* | DoB: June 16, 1949 PoB: El Manzano, Cachapual, Chile | |
| LEGATT* | Furniture maker, Nurse's Aide Care UNHCR Buenos Aires, Arg | |
| SY* | 3. Refugee alien. Joined Socialist Party 1969. | |
| DEA* | 4. FOR SANTIAGO: VISAS ALPHA. Cedula No. 6.342.601-6. Santiago | |
| | • CASTRO <i>Wm</i> | |

*POL/R, SY,
LEGATT and
DEA, please
do file
check, note
results
hereon, and
return
directly to
CONS/REF.
Thanks.

DRAFTED BY: CONS/REF: SBCoughlin:sbc *sc* DRAFTING DATE: 1-30-78 TEL. EXT: 332 CONTENTS AND CLASSIFICATION APPROVED BY: CONSWWW *Whitchcock*

CLEARANCES:

109-812-155
FEB 1 1978
FBI-BUENOS AIRES

UNCLASSIFIED

OPTIONAL FORM
(Formerly)

CONTROL: 0791
011308Z FEB 78

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | | |
|---|--|--------------------------------|--|
| FROM Embassy BUENOS AIRES | | CLASSIFICATION UNCLASSIFIED | |
| E.O. 11652: | N/A | | |
| TAGS: | SPEC, SHUM, AR, CI (ZUÑIGA TORRES, Luis Ernesto) | | |
| SUBJECT: | Name Check: Luis Ernesto ZUÑIGA TORRES | | |
| ACTION: | SECSTATE WASHDC RUEABND/DEA HQS WASHDC | | |
| | DIRECTOR FBI Embassy SANTIAGO | | |
| CONS CHRON POL/R*, LEGATT*, SY*, DEA* | UNCLASSIFIED BUENOS AIRES <u>0791</u> | | |
| | 1. VISAS EAGLE | | |
| | 2. ZUÑIGA TORRES, Luis Ernesto | | |
| | December 3, 1955 | | |
| | Student of electricity | | |
| | Care UNHCR Buenos Aires, Arg. | | |
| | 3. Refugee alien. Joined Socialist Youth in 1971, acted as | | |
| | Treasurer and Propaganda Chief in Carlos Cortez cell of Barrio | | |
| | Esperanza. | | |
| | 4. FOR SANTIAGO SANTIAGO: VISAS ALPHA. Cedula No. 584 469 | | |
| | issued Valparaiso.. | | |
| *POL/R, SY, LEGATT and DEA, please do file check, note results hereon, and return directly to CONS/REF. Thank.. | | | |

CASTRO

DRAFTED BY: CONS/REF: SECoughlin: sbc
DRAFTING DATE: 1-30-78
TEL. EXT. 332
CONTENTS AND CLASSIFICATION APPROVED: CONS: Smithcock

109-812-156

FBI-BUENOS AIRES

UNCLASSIFIED
CLASSIFICATION

OPTIONAL
(Form 10)

CONTROL: 0790
011307Z JAN 78 FEB 78

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | |
|---|---|--------------------------------|
| <p>E.O. 11652: TAGS: SUBJECT: ACTION: CONS CHRON POL/R* LEGATT* SY* DEA* *POL/R, SY, LEGATT and DEA, please do file check, note results hereon and return directly to CONS/REF. Thanks.</p> | FROM Amembassy BUENOS AIRES | CLASSIFICATION UNCLASSIFIED |
| | <p>N/A N/A SREF, SHUM, AR, CI (OJEDA CONTRERAS, Leonel Guillermo) Name Check: Leonel Guillermo OJEDA CONTRERAS SECSTATE WASHDC RUEABND/DEA HQS WASHDC DIRECTOR FBI Amembassy SANTIAGO UNCLASSIFIED BUENOS AIRES <u>0790</u> 1. VISAS EAGLE 2. OJEDA CONTRERAS, Leonel Guillermo . Chilean May 1, 1953 Santiago, Chile Chauffeur, Mechanic Care UNHCR Buenos Aires, Argentina 3. Refugee alien. Militant of Socialist Party 1967. In 1971 designated president of Villa Amapola (poblacion). 4. FOR SANTIAGO: VISAS ALPHA. Cedula No. 636 42 47, Santiago. CASTRO <i>[Signature]</i></p> | |

| | | | |
|---|--------------------------|------------------|--|
| DRAFTED BY: CONS/REF: SBCoughlin; sbc <i>[Signature]</i> | DRAFTING DATE 1-30-78 | TEL. EXT. 332 | CONTENTS AND CLASSIFICATION APPROVED BY: CONS: WWHitchcock <i>[Signature]</i> |
|---|--------------------------|------------------|--|

CLEARANCES:

UNCLASSIFIED

CLASSIFICATION

OPTIONAL FOR
(Formerly F)

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | | |
|--------|--|----------------|--------------|
| FROM | Amembassy BUENOS AIRES | CLASSIFICATION | UNCLASSIFIED |
| 11652: | N/A | | |
| TAGS: | SE SREF, SHUM, AR, CI (MONARDEZ ELGUETA, Sergio Edmundo) | | |
| BJECT: | Name Check: Sergio Edmundo MONARDEZ ELGUETA | | |
| CTION: | SECSTATE WASHDC RUEABND/DEA HQS WASHDC | | |
| | DIRECTOR FBI Amembassy SANTIAGO | | |
| | UNCLASSIFIED BUENOS AIRES 0831 | | |
| | 1. VISAS EAGLE | | |
| | 2. MONARDEZ ELGUETA, Sergio Edmundo Chilean | | |
| | August 23, 1946 <i>POL</i> Santiago, Chile | | |
| | Precision lathe operator Care UNHCR Buenos Aires, Arg. | | |
| | 3. Refugee alien. | | |
| | 4. OLIVARES PERKES de MONARDEZ, Nury del Carmen Chilean | | |
| | January 4, 1957 <i>POL</i> Valparaiso, Chile | | |
| | Housewife Care UNHCR Buenos Aires, Arg. | | |
| | 4. Wife of above refugee alien. | | |
| | 5. FOR SANTIAGO: VISAS ALPHA. Cedula No. for subject | | |
| | 5743669-7 issued in Santiago. Cedula for wife 7.155091-5 | | |
| | issued in La Cisterna. | | |
| | CASTRO <i>[Signature]</i> | | |

| | | | |
|---|---------------|-----------|--|
| ED BY: | DRAFTING DATE | TEL. EXT. | CONTENTS AND CLASSIFICATION APPROVED BY: |
| S/REF: SBCoughlin: sbc <i>[Signature]</i> | 2-1-78 | 332 | CONS: WWhitchcock <i>[Signature]</i> |

UNCLASSIFIED
CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

WILLIAM

INDICATE
☐ COLLECT
☐ CHARGE TO

| | | | |
|----------|---|----------------|--------------|
| FROM | Amembassy BUENOS AIRES | CLASSIFICATION | UNCLASSIFIED |
| 11652: | N/A | | |
| TAGS: | SREF, SHUM, AR, CI (GONZALEZ NAVARRO, Jose Fernando) | | |
| SUBJECT: | Name Check: Jose Fernando GONZALEZ NAVARRO | | |
| ACTION: | SECSTATE WASHDC RUEAEND/DEA HQS WASHDC | | |
| | DIRECTOR FBI Amembassy SANTIAGO | | |
| | UNCLASSIFIED BUENOS AIRES <u>0532</u> | | |
| | 1. VISAS EAGLE | | |
| | 2. GONZALEZ NAVARRO, Jose Fernando Chilean August 18, 1936 Santiago, Chile Radio operator Care UNHCR Buenos Aires, Arg. | | |
| | 3. Refugee alien. Sympathizer Communist Party. | | |
| | 4. GONZALEZ nee VAZQUEZ GARCIA, Mirna Nelly Chilean March 27, 1936 Iquique, Tarapaca, Chile Housewife Care UNHCR Buenos Aires, Arg. | | |
| | 5. Wife of above refugee alien. No political affiliation. | | |
| | 6. GONZALEZ VAZQUEZ, Oriel Alberto Chilean July 13, 1958 Santiago, Chile | | |

| | | | |
|----------------------|---------------|-----------|---|
| 0 D BY: | DRAFTING DATE | TEL. EXT. | CONTENTS AND CLASSIFICATION APPROVED BY |
| REF: SECoughlin: sbc | 2-1-78 | 332 | CONS: JWHitchcock |

UNCLASSIFIED
CLASSIFICATION

OPTIONAL FORM 103
(Form 103-1)
Jan 1975
FBI/DOJ

TELEGRAM

INDICATE
☐ COLLECT
☐ CHARGE TO

E.O. 11652: N/A
TAGS: CVIS, SREF, SHUM, AR
SUBJECT: Name Checks: Argentine Detainees

ACTION: SECSTATE WASHDC
RUEABND/DEA HQS WASHDC

DIRECTOR FBI

UNCLASSIFIED BUENOS AIRES 1112

CONS
CHRON
POL8*-2
POL/R*
LEGATT*
SY*
MAX DAO*
DEA*

*POL, POL/R,
LEGATT, SY,
DEA, and
DAO, please
do file
check, note
results
hereon,
and return
directly to
CONS/REF.
Thanks.

1. VISAS EAGLE
2. ANDRADA LAZOY, Juan Carlos Argentine
December 26, 1955 Federal Capital, Buenos Aires, Arg.
Metalurgical worker Detained by Argentine authorities
3. ARANDA VALLEJO, Carlos Raul Argentine
April 18, 1952 Mercedes, Corrientes, Argentina
Construction worker Detained by Argentine authorities
4. D'ANNUNZIO PEREZ, Mariano Jose Argentine
August 8, 1953 Punta Alta, Buenos Aires, Argentina
Student of Medicine Detained by Argentine authorities
5. HISI PAEZ, Jose Luis Argentine
May 3, 1956 Santa Fe, Argentina
Shoemaker, Chemical Technician Detained by Arg. authorities

*Consul advised
of incident. Reference
made to H - referred to
may memo. dated
11/23/77
but*

DRAFTED BY: CONS/REF: SBCoughlin: sbc *sbc* DRAFTING DATE: 2-13-78 TEL. EXT. 332 CONTENTS AND CLASSIFICATION APPROVED BY: CONS: WWHitchcock *WH*

FEB 14 1978

UNCLASSIFIED

OPTIONAL FORM
(Formerly FS)

6. MOVIA RUSSIAN, Ada Graciela Argentine
May 19, 1948 Federal Capital, Buenos Aires, Arg.
Art Teacher Detained by Arg. authorities
7. PEREZ, MIGUEL Miguel Antonio Argentine
April 13, 1955 Cordoba, Argentina
Clerk Detained by Argentine authorities
8. VARELA DUTREGNIT, Jorge Raul Argentine
August 1, 1954 Avellaneda, Buenos Aires, Arg.
Administrative Employee Detained by Arg. authorities
9. VELAZQUEZ COGLEY, Javier Alfredo Lujan Argentine
March 25, 1951 Federal Capital, Buenos Aires, Arg.
Student Detained by Argentine authorities
10. GARCIA STOERMANN, Washington Alejandro Argentine
February 5, 1942 Jachal, San Juan, Argentina
Anesthesiologist Detained by Argentine authorities
11. GALLETTI BUSI, Liliana Elida Argentine
September 5, 1945 La Plata, Buenos Aires, Argentina
History Professor Disappeared
12. All subjects (except GALLETTI BUSI, Liliana) seek release from detention by Argentine authorities under recently instituted "Right of Option" procedures, which require that embassy of country having interest in accepting the detainee issue certificate to effect that detainee will be accepted for admission to that country upon release from detention. In order for this embassy

INDICATE
☐ COLLECT
☐ CHARGE TO

TELEGRAM

BA-17
4-12-76

FROM

CLASSIFICATION

AMEMBASSY BUENOS AIRES

~~CONFIDENTIAL/NOFORN~~

XGDS-2
SHUM, AR
RUMORS OF BODIES DISPOSED AT SEA

ACTION: SECSTATE WASHDC IMMEDIATE

INFO: AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY MONTEVIDEO
AMEMBASSY SANTIAGO

~~CONFIDENTIAL~~ BUENOS AIRES: 1919
~~NOVORN~~

~~XREFX XCHAYLXN-BONRUX XTCKONX XXKYNZSX~~

1. DURING THE PAST MONTH STORIES CIRCULATED IN BUENOS AIRES CONCERNING BODIES THAT HAD BEEN WASHED ASHORE ON BEACHES IN THE GENERAL AREA OF ATLANTIC COAST MAR DE AJÓ--AN AREA ON THE ~~COAST OF THE ATLANTIC OCEAN~~ ~~PLATE~~ ABOUT MIDWAY BETWEEN BUENOS AIRES AND MAR DEL PLATA. ONE SUCH STORY--REGARDING TWO BODIES-- WAS PICKED UP IN THE LOCAL PRESS. ~~THESE~~ ACCOUNTS OF BETWEEN 35 AND 40 BODIES WERE GIVEN US BY CONTACTS OF THE EMBASSY, BUT WITHOUT ANY KIND OF CONFIRMATION.

2. PERMANENT ASSEMBLY FOR HUMAN RIGHTS VICE

DRAFTED BY:

POL:WHHallman:eg

DRAFTING DATE

3/13/78

TEL. EXT.

278

CONTENTS AND CLASSIFICATION APPROVED BY:

DCM: MChaplin

CLEARANCES:

POL/R:DSmock *and*

LEGATT: RScherrer

SY:RKelly

DAO:COLCoughlin

USIS: JHiggins

~~CONFIDENTIAL/NOFORN~~

~~CLASSIFICATION~~

OPTIONAL FORM 153
(Formerly FS-413)
January 1973

PRESIDENT EMILIO MIGNONE (STRICTLY PROTECT) MADE AN INVESTIGATORY TRIP TO THE AREA AND ~~HAS~~ ~~ISSUED~~ ~~A~~ REPORT WHICH IMPLIES A LINK BETWEEN THESE OCCURRENCES AND THE ARGENTINE GOVERNMENT'S ANTI-TERRORIST ACTIVITIES.

3. FOLLOWING IS EMBASSY'S TRANSLATION OF ^{THE} ~~A~~ REPORT MIGNONE PREPARED:

"A THOROUGH VISIT MADE DURING FEBRUARY TO THE BEACHES OF GENERAL LAVALLE DISTRICT, BUENOS AIRES PROVINCE (SAN CLEMENTE DEL TUYU, LAS TONINAS, SANTA TERESITA, MAR DEL TUYU, LUCILA DEL MAR, SAN BERNARDO Y MAR DE AJO) HAS SUBSTANTIATED THE FOLLOWING:

"BETWEEN JUNE 1977 AND JANUARY 1978, 16 BODIES WERE THROWN UP UPON THE LISTED BEACHES FROM THE SEA. ALL WERE IN STATE OF DECOMPOSITION AND WERE WITHOUT CLOTHES. ACCORDING TO DOCTORS WHO INVESTIGATED THEY HAD BEEN IN THE WATER NOT LESS THAN 15 DAYS. THE MAJORITY HAD BEEN DECAPITATED AND THE HANDS CUT OFF TO MAKE IDENTIFICATION DIFFICULT. IN ONE CASE IT WAS POSSIBLE TO SEND THE HANDS TO THE DEPARTMENT OF POLICE IN LA PLATA, BUT NO REPLY HAS BEEN GIVEN BY THE POLICE SO FAR. IT SHOULD BE NOTED, HOWEVER, THAT THEY BELONGED TO YOUNG PEOPLE, FOR THE MOST PART WOMEN.

"ACCORDING TO INFORMATION PUBLISHED DURING FEBRUARY BY THE DAILY "LA NACION", TWO BODIES IN THE SAME CONDITIONS APPEARED ON THE BEACH OF VILLA GESELL, FURTHER TO THE SOUTH,

PEOPLE OF THAT RESORT AREA AFFIRMED THAT DURING JANUARY 41 BODIES APPEARED IN SIMILAR CIRCUMSTANCES IN MAR DEL PLATA.

"THE INFORMATION CONTAINED IN THE FIRST PARAGRAPH CONCERNING THE BEACH TOWNS OF GENERAL LAVALLE DISTRICT ARE CORROBORATED BY TESTIMONY OF THE POLICE THAT MADE THE OFFICIAL COUNT, FORENSIC PHYSICIANS AND OTHER OFFICIALS AND PASSERSBY (BATHERS, FIREMEN, NEIGHBORS, ETC.).

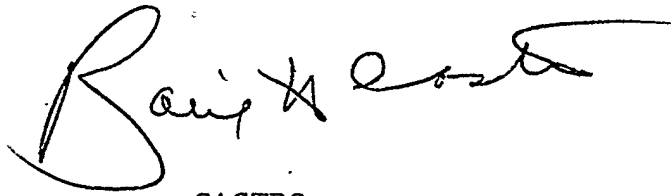
"NEIGHBORS AT THE ABOVE MENTIONED BEACH AREAS STATE THAT THE BODIES ARE WASHED ASHORE WHEN THERE IS WIND FROM THE SOUTH. THEY ARE CONVINCED THAT THEY HAVE BEEN THROWN INTO THE SEA BY AIRCRAFT OF THE NAVY FROM NEARBY BASES, WHICH THEY SEE FLYING FREQUENTLY OVER THE AREA. SOME NEIGHBORS AFFIRMED HAVING SEEN BUNDLES FALLING FROM THE AIRCRAFT,

"IF ONE CONSIDERS THAT THE NUMBER OF BODIES THROWN UP FROM THE SEA IS SMALLER THAN THE TOTAL NUMBER--ESPECIALLY TAKING INTO CONSIDERATION THAT BODIES MIGHT BE THROWN WEIGHTED IN ORDER TO SINK THEM--ONE IS FACED WITH ONE EXPLANATION FOR THE DISAPPEARANCES OF PEOPLE. THIS MIGHT EXPLAIN AN AFFIRMATION BY THE NAVY THAT IT HAS NOT A SINGLE PRISONER."

4. EMBASSY COMMENTS. EMBASSY OFFICERS DURING THE PAST TWO YEARS HAVE HEARD ~~FREQUENT~~ RUMORS THAT MILITARY AIRCRAFT HAVE BEEN USED TO DUMP AT SEA THE BODIES OF SLAIN TERRORISTS. ACCORDING TO SOME REPORTS PLANES DEPARTED FROM CAMPO DE MAYO AIRFIELD. (DAO SOURCES, HOWEVER, CAN NEITHER CONFIRM OR DENY

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THESE CLAIMS.) OTHER REPORTS EXIST OF BODIES WASHED UP ON THE URUGUAYAN SHORE. EARLIER REPORTS OF WASHED-UP BODIES DID NOT, HOWEVER, AVER MUTILIATION. WE CANNOT, HOWEVER, ACCEPT MIGNONE'S STATEMENT AT FACE VALUE. THE VILLA GESELL ENUMERATION LOOKS FLIMSY, AND THE FINAL SENTENCE HAS A POLEMICAL TOUCH THAT DETRACTS FROM OTHER INFORMATION. ASSOCIATED PRESS, WHICH WAS GIVEN THE STORY--PRESUMABLY BY THE PERMANENT ASSEMBLY--REFUSED TO USE IT ON GROUNDS THAT NO SEPARATE CONFIRMATION WAS AVAILABLE. . WHILE OTHER EMBASSY AGENCIES DO NOT DISAGREE THAT THE MIGNONE REPORT COULD HAVE SOME FACTUAL BASIS, THEY HAVE NO INFORMATION FROM THEIR SOURCES WHICH ~~CASTRO~~ WOULD CONFIRM THE REPORT.


CASTRO